TRUE STORIES OF THE AMERICAN WEST

THE WEST

10th YEAR OF PUBLICATION JUNE 1972 PDC 50¢
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POKER ALICE

THE WEST'S FIRST WOMAN GAMBLER

THEY DIED AT NORTHFIELD

BILL CHADWELL

CLELL MILLER

CHARLIE PITTS

THEY SURVIVED AT NORTHFIELD

COLE YOUNGER

JIM YOUNGER

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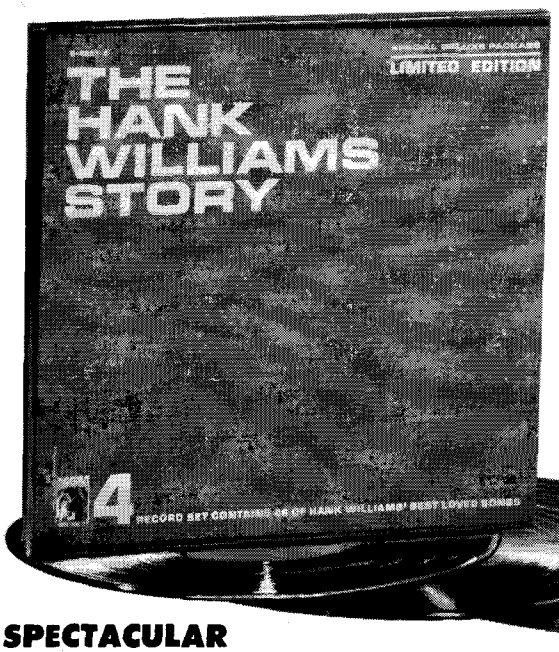
HANK WILLIAMS



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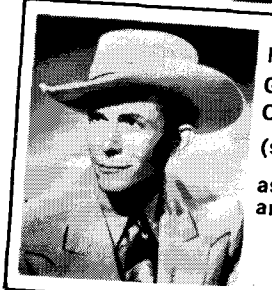

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TRUE STORIES OF THE GREAT AMERICAN WEST

THE WEST

JUNE 1972 VOLUME 15, NUMBER 13

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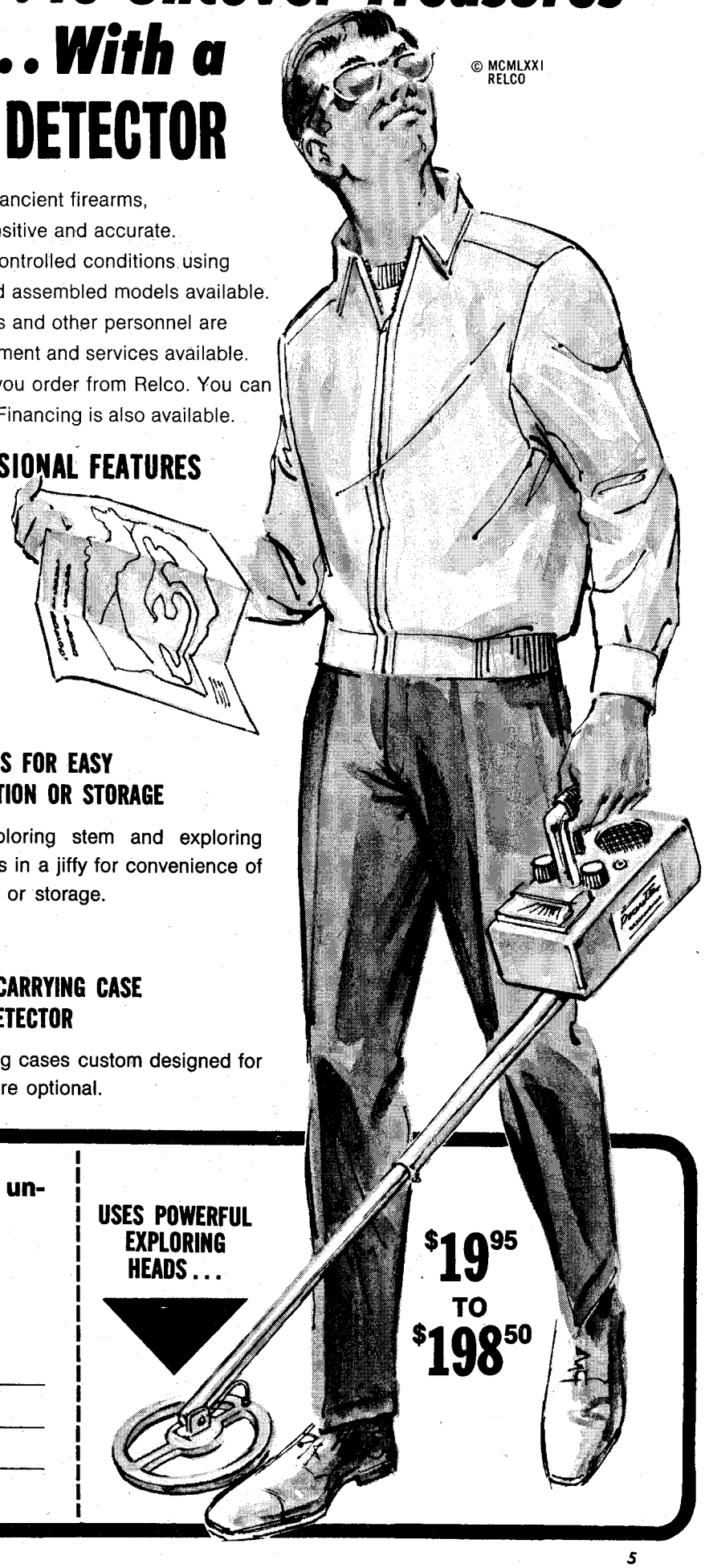

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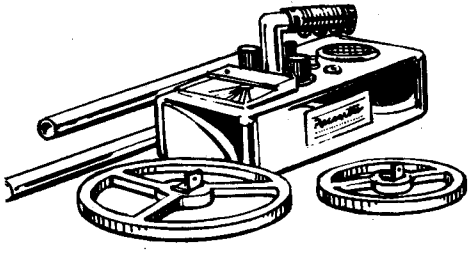

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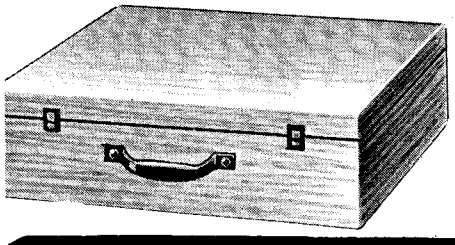

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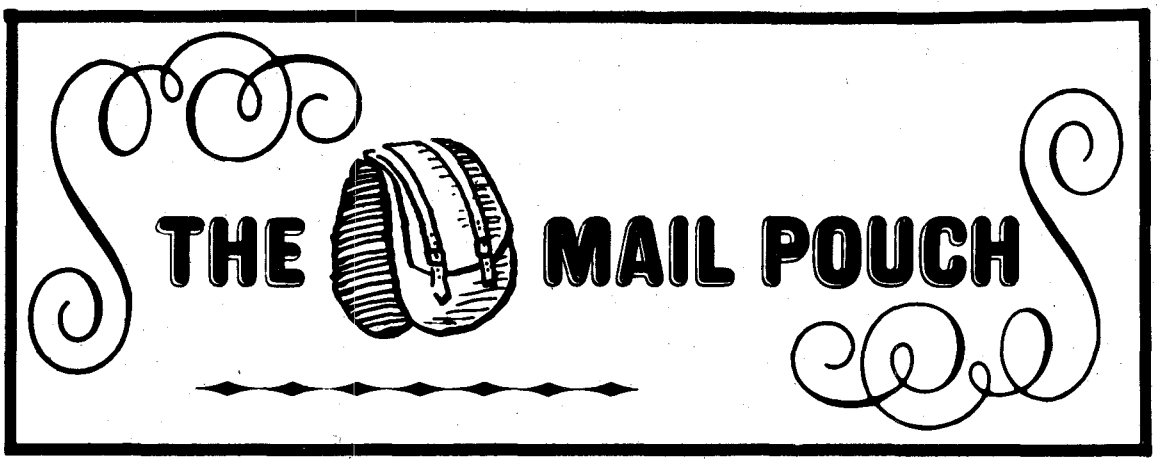

MUSTANG SUGGESTIONS

Gentlemen:

I was surprised to find the answer about what a person can do to help stop the killing of wild mustangs for dog and cat food to include only a suggestion to boycott pet food marked "horsemeat." I'd suggest your reader in Billings, Montana, write to the National Mustang Association Inc., Newcastle, Utah, 84756.

Sincerely,
Pete Hunter

Dear Editor:

I noticed the letter from the gentleman in Billings, Montana, in your March issue about what he could do to help stop the slaughter of wild horses and mustangs for dog food. I'd like to pass on an address that you may want to print. It's the American Horse Protection Ass'n., Inc., 629 River Bend Road, Great Falls, Virginia 22066. They've been conducting good work.

Sincerely,
Vaughn Hilliard

NOBODY STARVES IN THE ARMY?

Dear Sir:

I just wanted to say how much I enjoy your magazines. I enjoyed the article "Last Ute Action In Colorado" by Mildred P. Mayhall in the March issue, but I have a question about one part of it. It says the troopers had gone 30 hours without eating. For an Indian I could see it, but I have been in the army myself and when we were on maneuvers we never went anywhere near that long without food. Just a thought.

Thank you,
Bob Mirk
Temple City, California

BOOK HUNTING

Dear Sirs:

Upon reading the article "Marrying Squaw-Man Gets Trapped" in GOLDEN WEST, there was a mention of Brigham Young—"Lion of the Lord." I recall reading in another article about a book with the same title. Is there such a book? If so, I'd like to know if anyone can tell me where I can obtain it. I'd very much like to have it.

Yours truly,
Harry Mabey
552 Greenlawn Place
Salt Lake City, Utah 84116

MINER'S COMMANDMENTS

Dear Sir:

In the March, 1972 edition of THE WEST I very much enjoyed the article entitled "Denver And the Mountains of Gold." There appeared on page 11, the "Miner's Ten Commandments," which was unreadable due to the fine print. I am writing to find out if anyone can tell me where I can purchase an enlarged copy of said Commandments. Thanking you in advance.

Sincerely,
Iola Morgan
1401 Lowe
Columbia, Missouri 65201

HE HAS THE GUN

Dear Sirs:

I got your March issue of THE WEST off the stand yesterday and one of the first things I looked at was the article "Oregon's Bearded Prophet." I am well into my 70's and have lived here in Drain most of my life. And as Corvallis is just 80 miles north of here I know just about all the particulars in this case.

The young attorney who defended Mitchell was Milton K. Evans. After Mitchell was cleared, it turned out that he was broke and all Evans got for his fee was the gun Mitchell used on Creffield. Evans later moved here to Drain and was our local banker for some time and I knew him well. In 1917 he gave this gun to our local deputy sheriff. That's when I first saw it and being a gun nut I tried to buy it, but the deputy wouldn't sell. But he promised if he ever did it would be to me. It wasn't long until he oiled it up and put it in an old trunk along with some other family keepsakes and it stayed there for 40 years. Recently he got it out and sold it to me. It's a Colt Single-Action Bisley Model 44-40 and in excellent condition. In fact, I have hand-loaded and shot it a good many times.

Several people have tried to buy it and two museums have tried to get it, but so far I've managed to hang onto it. Just thought you might want to put this in your magazine as someone might be interested and want to drop by and look at it. I have all the notorized papers to prove its authenticity.

Sincerely,
Archie G. Patchen
337 Cedar Street, Box 282
Drain, Oregon 97435

SEARCH FOR RELATIVES

Dear Sir:

I want to find who my great grandfather, Fredrick Boone's (or Boon) parents and grandparents

(Continued on page 65)

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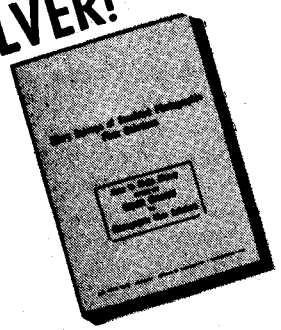

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THEY BUILT THE WEST SERIES

With these issues of THE WEST and GOLDEN WEST, we are inaugurating a new feature entitled "They Built The West." This feature will hopefully give our readers, the younger ones in particular, a glimpse at some of the men and women who helped develop our great country.

In this series, ycu won't find stories about famous outlaws or gamblers or Indian battles. Most folks know quite a bit about them already.

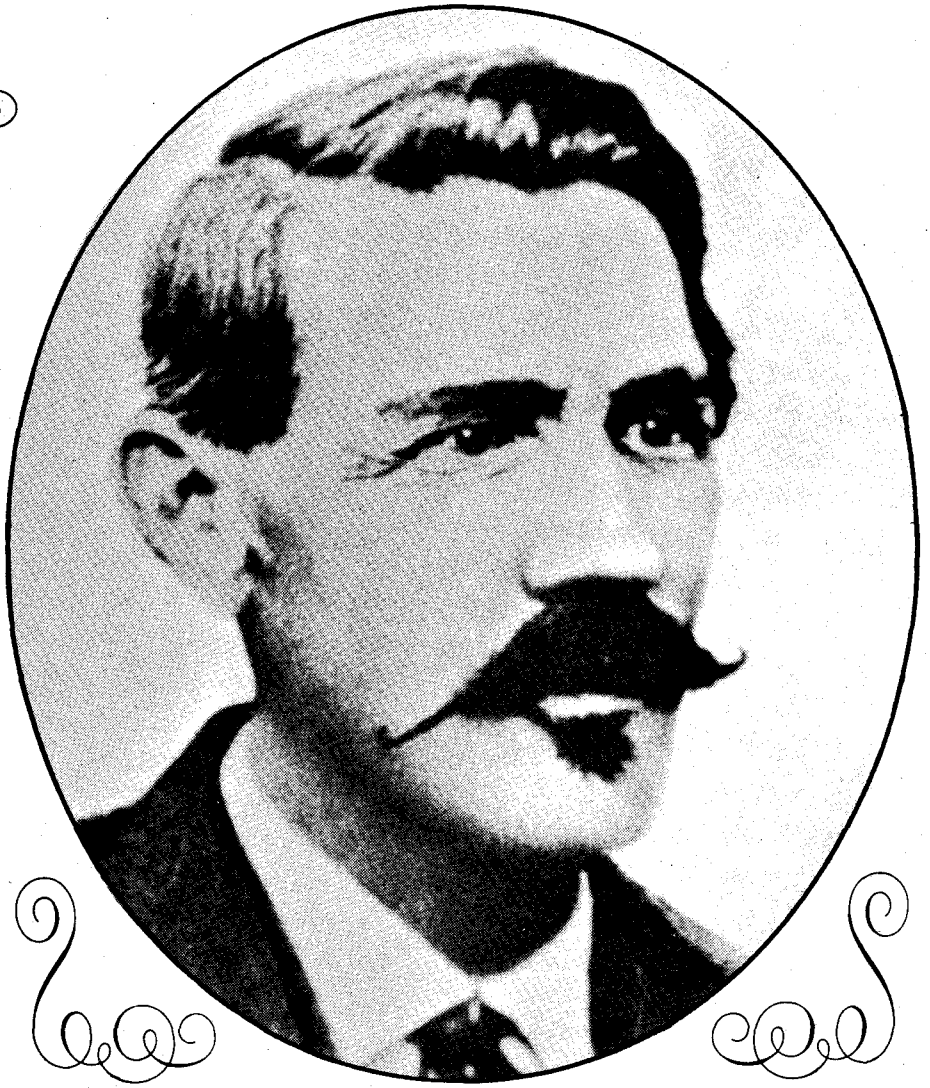
Instead, "They Built The West" will focus on the merchants, the ranchers and farmers, the newspapermen and the ordinary citizens who endured hardship and deprivation to follow a wonderful dream.

In these days of men landing on the moon, automatic dishwashers, satellite television and electric can openers, some folks tend to take everything for granted. Old timers know things weren't always so easy. And by pointing out some of the builders of the west and showing what they had to endure just to get by day-after-day, maybe we can rekindle an appreciation both for our history and our country.

Some people featured in this new series you'll undoubtedly have heard about. Others will be new to you. But no matter how they went about it, each one had a few things in common—a pioneering spirit—a lot of guts and a carload of ingenuity.

Let us know if you like our new series and don't forget to pass along any other ideas you may have to improve THE WEST and GOLDEN WEST. We think we're pretty good right now. But that's no reason not to try and get even better!

THE EDITORS



JOHN CHISUM EMPIRE

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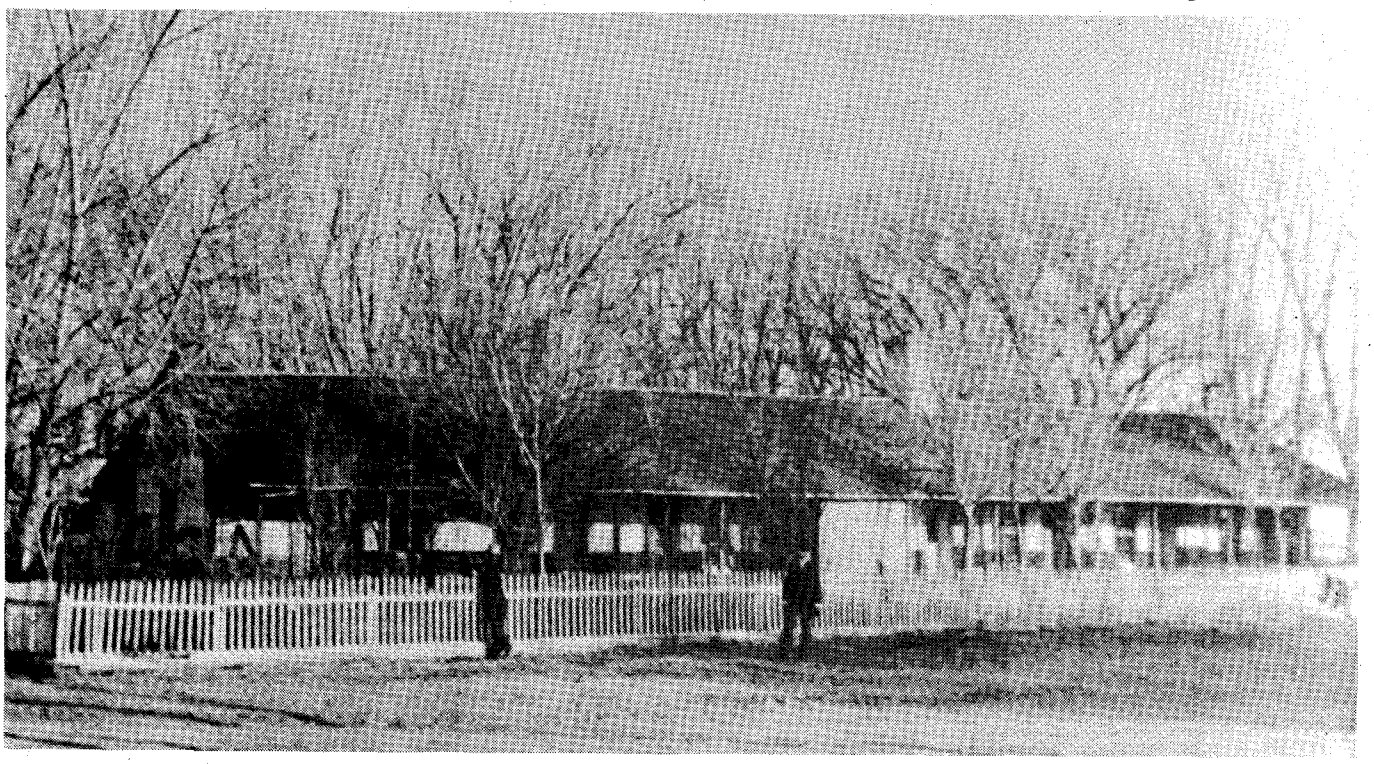
Author's photo



"Uncle" John Chisum's famous "Longhouse" was 148 feet long and 39 feet wide. It had every modern convenience and the finest furniture money could buy. But Chisum slept on the floor on three Indian blankets. He had slept on hard ground so long he couldn't get used to soft beds.

By Rufus Waltrip

JOHN CHISUM TOOK off his boots and lay down on the blankets spread on the floor, the kind of bed on which he had slept for more than 40 years, indoors or out in any kind of weather. But on this night he did not sleep for many hours. He was thinking of the six wagon loads of emigrants from north and south Springs in Lincoln County, New Mexico, that had passed through town on Tuesday of that week, going north. They were good citizens being driven out by the lawless element of that section. They had no desire to take part in the fight called the "Lincoln County War" going on all over the southeastern part of the Territory.

The old cowman sighed deeply as he pictured houses, lands, standing crops and gardens, everything pertaining to comfortable homes these people were leaving to seek employment on the new railroad being built through that area. Restlessly he turned from side to side on his bedroll. "No new country can well afford to lose so industrious, gentle and law abiding a class of people," he had read that day, August 17, 1879, in the Las Vegas Gazette.

The Pecos River Commission records that John S. Chisum drove about 10,000 head of cattle from the area of Trickham, Texas, to the Pecos River country in 1867, a year behind the famous pioneer drive of Goodnight and Loving, and that he followed the Goodnight-Loving Trail. It was "the time for a man of Chisum's vision and financial backing to get into the cattle business in New Mexico—practically all land was in the Public Domain," says the Commission.

Such men as Chisum had pointed the way and fired the imagination of the newcomers just at the time when the railroads were coming to the west to create new conditions and to make way for the eastern markets.

During the White Man's War (Civil War), the Indians had more than doubled their efforts to re-establish themselves, to retain at least a part of their hunting grounds. Any white man who tried to cross their territory was an enemy to be exterminated by any means possible.

So John S. Chisum came, and he had

He was involved in the infamous Lincoln County War, was supposedly a friend of Billy the Kid, and he had his share of enemies. But John Chisum was basically a man of peace—a cattleman, pioneer, builder and grower of things. He was the kind of man who built the West.

BUILDER

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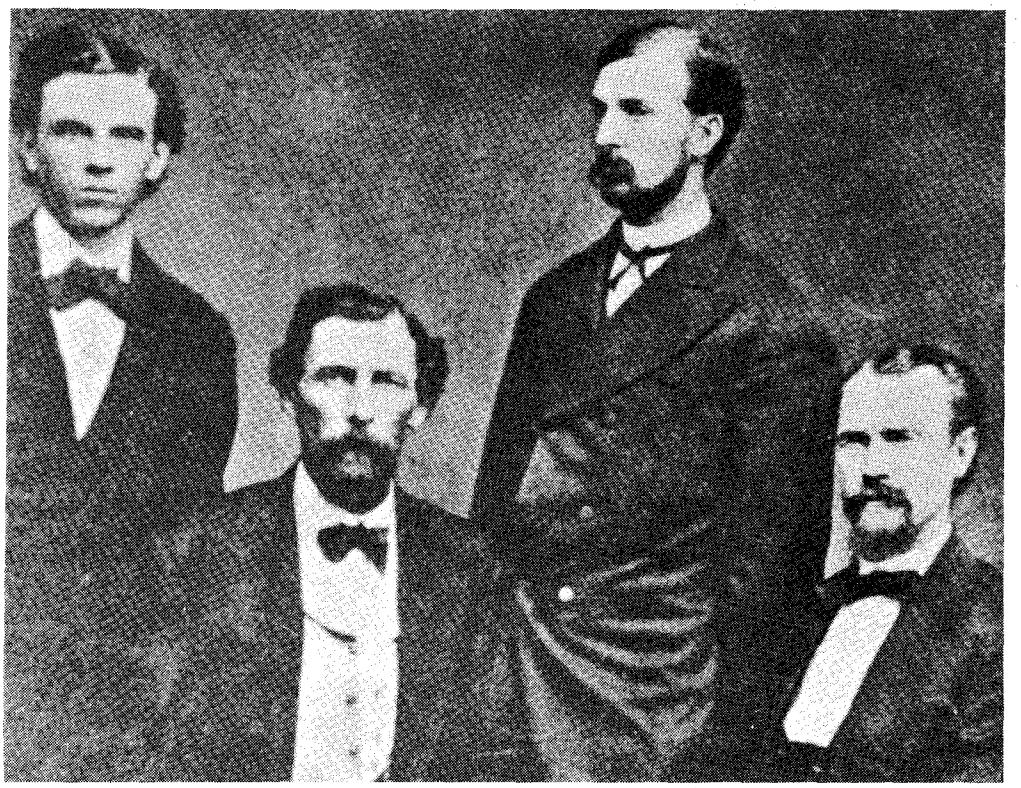
Miss Sallie Chisum was John Chisum's niece as well as his housekeeper. She was dubbed "Queen of the Chisum Ranch" by the cowboys who worked on the spread.

Author's photo



Major L.G. Murphy (far right) was the southwest's "Cattle King" until Chisum came along and took the title from him. The former army officer stopped at nothing to build his fortune and nobody dared cross him until he challenged John Chisum. Chisum adamantly refused to back down.

his troubles as he established ranches at various places from the Black River in the extreme southeast part of the territory along the Pecos River near Bosque Grande, over to Fort Stanton and down to the Three Rivers.

In spite of trouble with Indians the Chisum outfit prospered. His Fort Stanton ranch alone was reported to control 1,600 sections of land. By 1873 his range extended 50 miles on either side of the Pecos River from the 18-mile Bend below Fort Sumner to Salt Creek, a distance of 150 miles. On this range alone he ran 30,000 head of cattle and within 10 years he had become known as "Pecos Valley Cattle King," surpassing the status of Major Murphy who held that title previously. Chisum's bid for the Apache-Navajo Indian beef contract had been successful during his best years in the Territory. Beef at .0219 cents per pound was considered a fair price for steak on the hoof.

The Chisum outfit employed over 100 Indian fighting cowboys and finally ran more than 80,000 head of cows on his several ranges. He could fill an order on short notice for 40,000 head of beef cattle. He furnished beef to all Indian Agencies in the Territory of Arizona and became known as a pathfinder when he established a trail from Seven Rivers, New Mexico, to Arizona, often called The Chisum Trail.

A story is told that once, while Chisum was traveling in a stage coach from Silver City to Mesilla with Thomas Conway, an attorney and personal friend, the stage was robbed. Chisum quickly put $1,000 in his high boots and handed over a small sum. The robbers are reported to have taken $4,000 worth of silver bricks from the stage strong box which was being shipped from Silver City to New York City.

In 1875, Chisum's friends urged him to run for the state legislature. He did so and lost. When the votes were counted he had 93 against 163 for John P. Risque. Undaunted, Chisum kept on increasing his herds, gaining recognition and good will all over the Territory.

Smallpox broke out in the spring of 1876, and the disease was so severe even the courts adjourned in Las Lunas and Socorro counties for several months. Old Fort Union was isolated by army orders and deaths were reported to average two a day along the Rio Grande Valley. Throughout the Territory the disease continued for almost a year. John Chisum became severely ill with smallpox at his Bosque Grande Ranch and was cared for by his Negro helper, Frank "Chisum." After his long, slow recovery, more troubles arose.

Where John Chisum pioneered, others followed. Rival Texas stockmen, noblemen from Europe backed by foreign capital, "scheming speculators of various nationalities, many in league with unscrupulous politicians in Santa Fe," ex-army officers, squatters and homesteaders seeking homes and land to farm, and fugitives from justice in quest of sanctuary, all entered the grim battle for survival.

The Pecos River Commission reports that during the postwar years, neighboring states and territories began to clean up their societies. The Texas Ranger force was effective in this campaign as the plague of renegades who had terrorized that frontier for more than a decade, was pushed into the adjoining territory of New Mexico. In 1878, Texas circulated a book containing names and descriptions of 4,402 desperadoes and fugitives from justice. Ninety thousand dollars in rewards were being offered for 300 of these wanted men, most of them accused of murder.

Feuds sprang up. Many of these rivals from justice entered into "desperate al-

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Chisum's ranch headquarters was the site of the first post office in Trickham, Texas, and for this blacksmith's shop built in 1883. Chisum once drove 10,000 head of cattle from Trickham to the Pecos River Country.

liances first with the 'white comanches' or Comancheros who infested the Pecos Valley, and who eventually fought with each other. Factions followed which brought about the infamous Lincoln County War in which John Chisum figured largely.

Chisum seldom carried a gun and his enemies declared this was because he was a coward. It was sort of a gentleman's agreement that no self-respecting cattleman would shoot another who had no gun to protect himself. The unarmed man usually had the law on his side. "Chisum took advantage of this situation," his enemies said.

But John Chisum could fight if he had to, as is pointed out when he and his cowboys chased the raiding Apache Indians off his range and back to the Mescalero Reservation. "Don't shoot until you have to," Chisum told his boys, for he knew the Apaches were not altogether to blame for these raids. He was sure they had been framed and paid by enemies of the Chisum outfit for these depredations. It has been reported that 77 Apaches were slain in these fights, with no loss of Chisum cowboys.

Southeastern New Mexico is a land of long ravines and cottonwoods, of miles of dry river beds and quick washes with dry water holes. Its backdrop is a high, crested, purple mountain range. In those days the air was often acrid with the yellow-blue haze of grass and forest fires set by lightning or careless cigarette, or deliberately started by rivals.

Most men didn't talk much on this embattled frontier, but their eyes were watchful. When they did speak they were brief and to the point. They often spoke in riddles that might sound simple to the untrained ear.

John Chisum was a man of few words. He wanted peace and quiet but he was willing to fight for what he believed in. There had been good years in Lincoln County when the grass was sweet and the cattle were fat and peace was in the land. But there were the bad years when the smell of gun powder was in the air and men died with surprising quickness.

Yes, for a long time good luck had been with the Chisum range. Then his outfit began to stock the country with better bred cows and pedigree bulls. He planned to develop a finer breed of beef cattle for the west. Bulls valued at $1,000 roamed his vast range.

But calamity began to strike too often to be put down as just bad luck. It was bad enough to find the calf crop short each year and to find prize bulls mysteriously dead, but when innocent cowboys were killed, the Chisum outfit knew it was in deep trouble.

Even with stealing, raiding and death to avenge, John Chisum would not go outside the law. His job was to keep peace and force the murderers into the open. So with more than one faction against him, the cattleman fought for justice—and fought for his life.

The Lincoln County War actually began in the courts when McSween, an attorney, refused to defend the cattle-rustling cowboys of Major Murphy, an army officer who had established at the cowtown of Lincoln, a general store, saloon and gambling house. Major Murphy also had outlying ranches with tough and contentious crews. The powerful Murphy, who had lost his title of "Cattle King" to John Chisum, was not the man to stop at corruption or even murder in building his fortune in the sheep and cattle empire, to regain his status. No one dared cross him until he challenged John Chisum.

Attorney McSween not only refused to represent Murphy's cattle rustling cowboys—he helped Chisum prosecute and convict them. Then court charges were made by the Murphy gang that McSween had embezzled money owed to Murphy. The situation became more serious when the Murphy men daringly attempted to rustle even more cattle of the opposing faction. A real war exploded when they ambushed and killed a young man from England who had also challenged Murphy's profitable monopoly by establishing a store and a bank in the small town of Lincoln.

McSween, a member of the board of directors of the bank, posted guards around his residence and bank to prevent the buildings from being burned or dynamited by the Murphy followers. A sheriff from the Murphy group decided to disarm the McSween men who guarded their buildings. In turn, the Murphy men were warned to keep off the McSween premises. The Sheriff appealed to Colonel Dudley, commander of Fort Stanton, for air for the Murphy faction.

Sixty men attacked the McSween party. Chisum's attorney, McSween, and 14 followers barricaded themselves in a building and opened fire, killing two of Murphy's men. Thereupon, two of the McSween men were slain and their building set afire. As the McSween faction tried to escape, the Murphy firm led a general assault. McSween, among others, was killed in the final wild charge.

Chisum had now lost his banking partner, his attorney, and several of his top cowhands. Mrs. McSween employed another partner for the bank, who was also an attorney, and Murphy promptly had him killed. Death for John Chisum appeared imminent.

President Hayes took the crucial affair in hand, recalled Governor Axtell, and appointed Lew Wallace Governor of the Territory. Impartial steps were promptly taken and the inglorious cattlemen's war finally ended.

Records hold that during the melee, a well known politician and powerful businessman of Santa Fe, and once attorney general of the Territory of New Mexico,

(Continued on page 58)

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LITTLE SISTER OF COURAGE

With crucifix in hand, and a deep, abiding faith in her heart, Sister Blandina added her own chapter to the colorful history of our great frontier

Courtesy Sisters of Charity, Mt. St. Joseph, Ohio

by Louise Cheney

Although for the most part neglected by historians of Western Americana, the name of Sister Blandina Segale of the Sisters of Charity should be high on the list of pioneer women. Armed with only her crucifix and a deep abiding faith, she ventured forth into raw, untamed Colorado and New Mexico Territory in the last century to carry on charitable and educational work for the Indian, the Mexican and the Anglo, the Catholic and the Protestant, the lawless and the law abiding. During the more than 20-year stay in the rugged land at the end of the famed Santa Fe Trail, she gave solace and consolation to the early settlers and taught thousands of children.

Her adventures read like a swashbuckling adventure tale. Once, accompanied by the sheriff and a murderer, she defied a lynch mob and calmly walked through the streets of Trinidad, Colorado and so thwarted a lynching. She nursed a wounded member of Billy the Kid's gang and persuaded the outlaw not to scalp the four Trinidad doctors he had sworn to kill. In New Mexico she walked out to meet a band of fierce Apaches and averted an Indian attack. She helped build two schools, one in Trinidad and one in New Mexico.

Sister Blandina's deeds were buried in the mists of time until 1932 when her letters and diary, written while she was on the frontier, were compiled into a book, "At the End of the Santa Fe Trail."

The good sister was born Rosa Maria Segale in 1850 in Cicagna, Italy just above Genoa. In 1854 her family brought her to America, and settled in Cincinnati, Ohio There little Rosa Maria received her education at a convent. At the age of 16 she decided to dedicate her life to God and took the vows of the Sisters of Charity, becoming Sister Blandina.

While teaching in Steubenville, Ohio in 1872 she received orders to proceed at once to Trinidad to teach school. At first she thought she was going to the West Indies, but later learned that the Trinidad she was going to was in Colorado. She was warned by friends that many dangers existed in the untamed land, one of the greatest being the cowboys. They were said to be ruffians, brutal and uncivilized.

Before the little sister started on her journey the bishop gave her his blessing with the words, "May angels guard your every step." She was to remember that blessing many times during her stay in the West.

The little nun rode the train as far as St. Louis, then continued via stage to Trinidad. En route a cowboy boarded the coach and Sister Blandina, petrified with fear, huddled in a corner of the seat. Then

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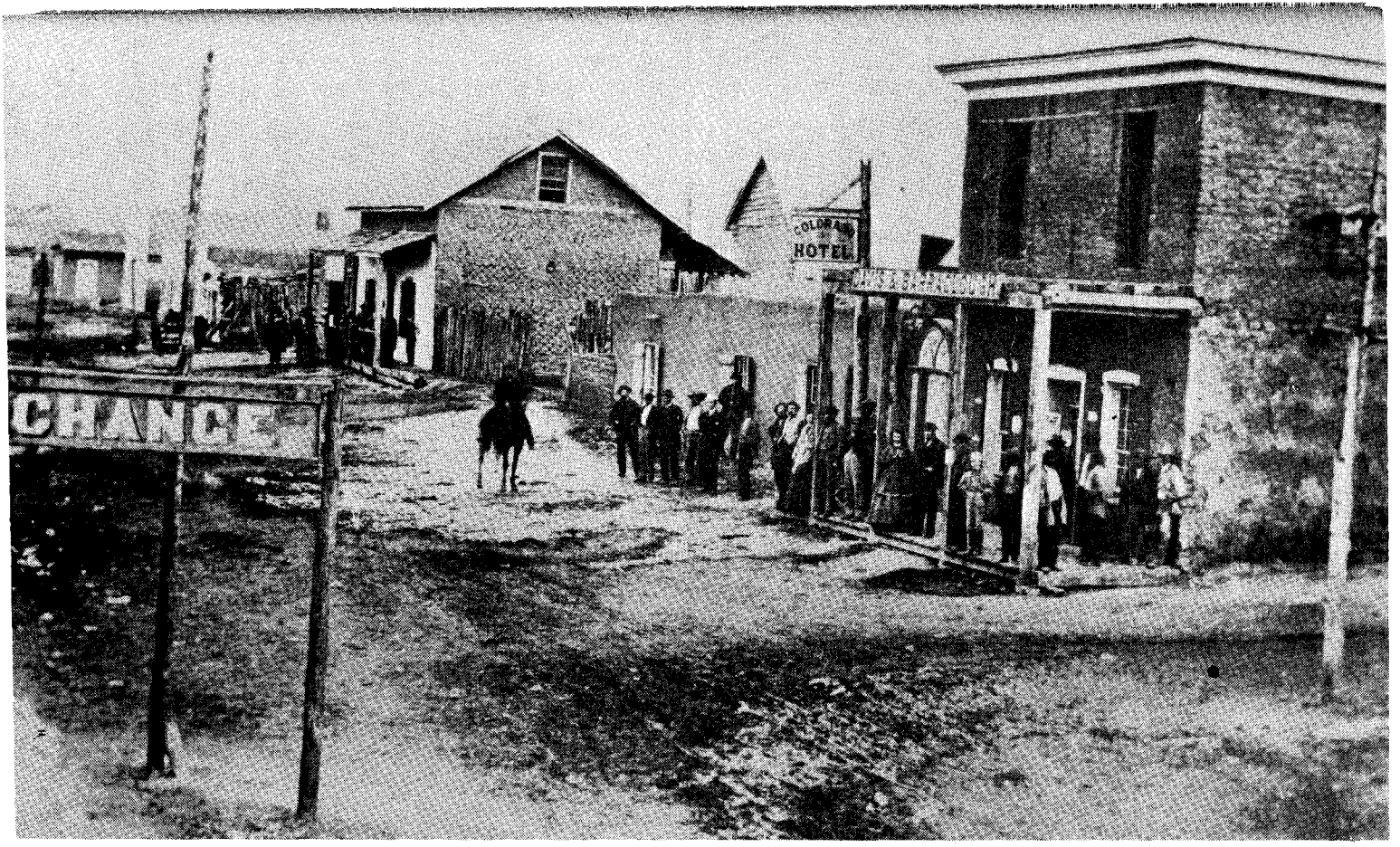

Cameras were new and folks were curious when this picture was taken in Trinidad.

the man spoke and asked what kind of sister she was. When she answered that she was a Sister of Charity and everyone's sister, the rough looking character became humble, and Sister Blandina ceased to fear him. She talked with him during the balance of her journey.

In Trinidad Sister Blandina was shocked to see that the Colorado town consisted of crude adobe huts and dugouts. She wrote in her diary that at first she thought the structures were dog kennels. Then she remembered St. Francis Xavier's words, "farther away in a more desolate country, with less companions," and thought, "Who did more for God?" Then her courage asserted itself and she determined to do the Lord's work to the best of her ability.

On December 14, 1872 Sister Blandina went to her schoolroom where she was to teach and found it to be only 40 feet long, 14 feet wide, 8 feet high, with two small windows. It was made of adobe. The rafters were "black as ebony," she noted in her diary. The building was strong and was constructed so as to repulse an Indian attack in case one came. The church was also an adobe structure. The pews consisted of planks nailed together.

The school had 12 young ladies in residence. The day pupils were for the most part Mexican and Indian. Trinidad consisted of Commercial Street with a few scattered adobe houses. Main Street was the same length with a few stores. Convent Street had several adobe huts. The only house that resembled a residence was occupied by a Mr. Baca. There was a Mexican settlement on the hill. Although the town lacked beauty, Sister Blandina found the wide western sky and the majestic Rockies to her liking.

Sister Blandina spoke Spanish and was able to teach her Indian and Mexican pupils English. The town of Trinidad was in constant danger of an attack from the Ute Indians, but the little nun went about her duties positive that the angels would guard her footsteps as the bishop had prayed they would.

One of Sister Blandina's first acts in Trinidad was to organize a Vigilant Club among her students. Its purpose was to report to her any case of distress in Trinidad.

She found in the small frontier town an immense field in which to work. It was the rendezvous of the outlaws who used the Santa Fe trail. The boundary line between Colorado and New Mexico Territory was only 12 miles from Trinidad. The site was marked by a large stone and a toll gate operated by the famous trapper, Dick Wooten.

During Easter week in 1873 an elderly man and woman were found murdered near Trinidad. Four Mexicans were suspected, captured and hanged. Two days later the real murderers were found and they confessed to the crime. Sister Blandina used this incident as a strong argument against lynchings.

(Continued on page 56)

Denver Public Library Western Collection Photos

Billy the Kid was on the way.

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by Charles Dana

MOMAN PRUIETT

GENIUS OF HATE

HATE SENT HIM TO GREAT HEIGHTS AND TO THE LOWEST DEPTHS, MAKING ONE OF THE MOST TRAGIC STORIES OF THE OLD WEST

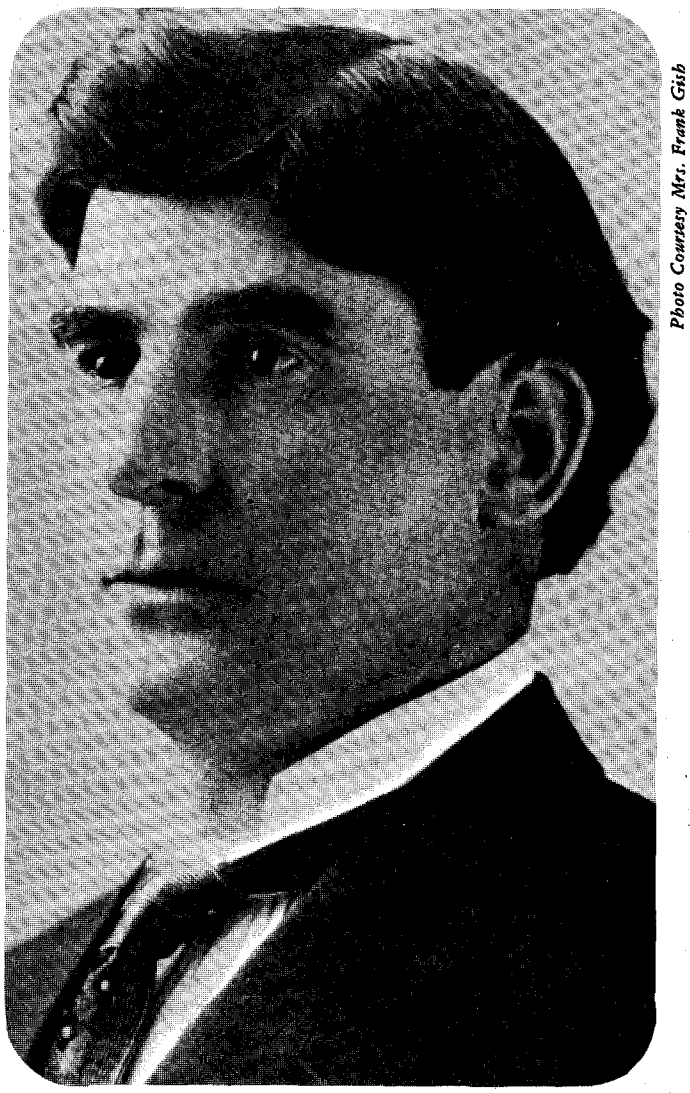

Photo Courtesy Mrs. Frank Gish

IN 1892, IN THE TOWN of Paris, Texas, an illiterate young man belligerantly faced a jury that had just found him guilty of robbing a cattleman of $3,000. Hatred and vengeance were the twin emotions roweling the prisoner as he harangued the twelve who had just denied him his freedom; he was filled with visible rage.

"You yellow-bellied coyotes. You're sending me to prison because I have the Trail of the Serpent. Yes, just because I've been to prison. And because I can't read or write. But I'm telling you that I'll learn to read and write in prison, this time. Yes, I'll make myself a lawyer and I'll free every damned murderer and rapist and cut-throat to prey on you and your children."

And the subsequent record of his life shows that he fulfilled the promise and the threat.

Some four years later this man again stood before a jury. Well over six feet tall and well built, with thick, jet black hair, he had the cold, classical features and brooding dark eyes of the born actor.

The place was the Federal Courthouse at Purcell, Indian Territory.

He talked quietly and persuasively to the jury of men who sprawled lazily in their seats, relaxed and almost nodding under the influence of the soothing speech of the lawyer.

With no warning, the tall figure became changed, his voice snarling, his stance threatening, with a gleaming silvery weapon aimed at the jurors in the right hand of the lunging lawyer. The jurors stumbled over each other as they hastily cleared their chairs and scrambled backward, out of the reach of the menacing aggressor. And then Moman Pruiett smiled triumphantly.

"Gentlemen," he invited, "you may now resume your seats."

The twelve jurors, puzzled and bewildered, returned to their places. The lawyer opened his right hand to reveal a steel pencil, the object that had glittered so brightly in his hand.

"Gentlemen," he said to the jury, "is there any one of you who now doubts that a steel pencil can look like a dangerous weapon if a man is coming toward you?"

All of the jurors agreed the lawyer was right. When they marched into the jury room, they quickly voted to acquit Clarence Douglas, a free-lance newspaperman, of the murder, in daylight on the main street of Ardmore, of Jimmy Dean, editor of the Ardmore *Chronicle*.

A great number of witnesses said Jimmy Dean was unarmed, and when the trial opened no one gave Douglas a ghost of a chance of being exonerated. When the young lawyer introduced evidence that Jimmy Dean had reached for a steel pencil, the jury grinned and the court audience broke into loud laughter at the absurdity of the defense.

But neither the jury nor the courtroom crowd laughed after the lawyer staged his scene with the steel pencil. This pencil ruse was only one of the many amazing and bewildering tricks this clever lawyer, Moman Pruiett, showed to courtroom crowds in the old days of the West.

No lawyer in the Old West had the amazing number of acquittals as did Moman Pruiett. He defended 385 murderers

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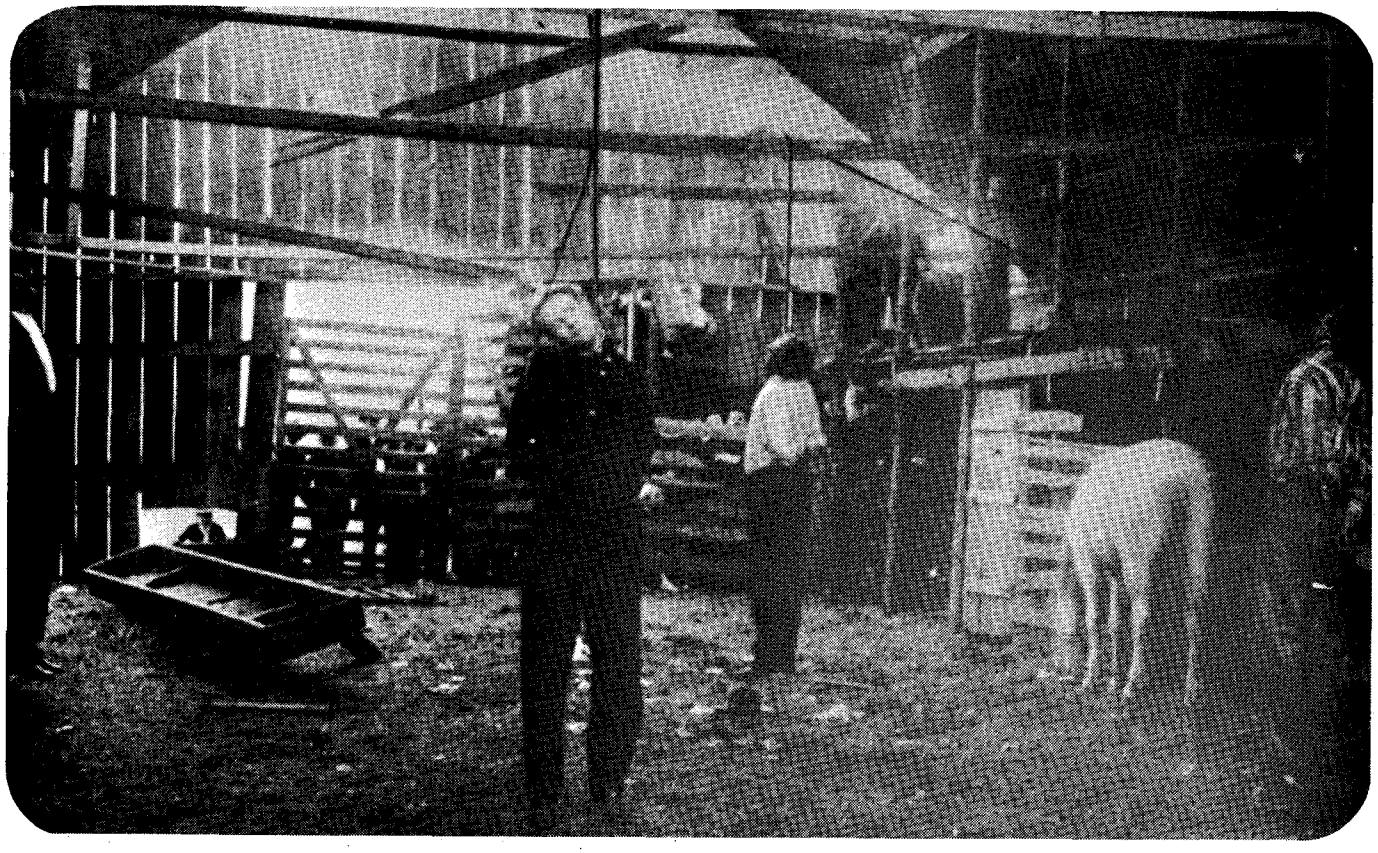

The sheriff took Pruiett to an old barn where his four clients were dangling from a rope, dead many hours.

and rapists. 360 were acquitted, and the remainder received only light sentences. Only two were sentenced to life imprisonment and not one was ever executed by the law.

YOUNG MOMAN had been sent to prison in Arkansas because he stole money from the Express Company in Fayetteville, to get something to eat. He was given five years in the state penitentiary, but his mother prevailed on the Governor to pardon him after serving two years. But "The Trail of the Serpent," the expression indicating a man had served time, was on him and it followed a man, in those days, anywhere he went.

Moman's mother ran a rooming and boarding house in Paris, Texas, so Moman went there, and soon after he arrived the cattleman was robbed. There was no evidence against Moman, except the fact that he had served time in prison. This was enough for the jury to convict him.

He went to prison, studied hard and mastered English. After two years his mother won another pardon. Sam Garvin, a wealthy cattleman in Paul's Valley in the Indian Territory, and Cal Grant, a banker in Paul's Valley took an interest in Moman and got him admitted to the bar, which in those days wasn't difficult.

Those were the days of the so-called Cherokee Strip—wild, lawless days when a man's life was forfeit without benefit of Blackstone, or semblance of justice. There were so many hard cases that men were executed just to be sure that none of the scoundrels were missed. The speeding bullet garnered more respect than the written word; to be caught red-handed was parodoxically the greatest crime of all.

Moman Pruiett had a score to settle with society and the Territory offered fertile ground. In 1896, Moman married Lily Belle Thrasher, who was entranced by the somewhat exotic and dashing young lawyer. They moved into Paul's Valley where a Federal Court was being established to deal with the myriad of cases arising from the turbulent Territory.

Not long after securing an acquittal for Douglas, Pruiett was retained to defend Jim Corn, charged with the murder and robbery of a rancher near Ardmore. Pruiett listened carefully to Corn's explanation and realized that he was faced with a losing case. There was simply no defense!

But optimism was evident when Pruiett and his client appeared in court. Curiously, Pruiett allowed fact to pile upon fact, without protest. It seemed as though he didn't care. He didn't. When it came time to present the defense, Pruiett's presentation hinged largely on cradling a baby in his arms as he talked of the good Corn had done. Of the shame a conviction would bring down upon an innocent child.

Would you deprive this harmless, this blameless, child, of a father?" Pruiett asked repeatedly. "Is it right to wreak vengeance on a baby—a baby which has never done a wrong thing in his life?"

Pruiett had half the jury crying in a few minutes and they quickly acquitted Corn.

The baby, however, puzzled the jurors.

"I never knew Corn was such a devoted father," one said.

"As a matter of fact I didn't know he was married," another said.

"By God, I didn't even know he had a baby," a third said.

And they were right! Corn had never been married and the baby was the waif of an unmarried miss whose business was conducted in a brothel.

Although Pruiett was able to introduce emotion into defense, he had a bitter cynical attitude towards law and life which enabled him to take every advantage of a situation.

"Moman Pruiett had a hypnotic quality in his oral presentations," Stillwell Russell, a famed Texas attorney said, after seeing the budding genius in action. The strength of his plea to a jury was contained in a bitterness, a sense of loneliness which was a part of his own personality, and which he exuded strongly enough to tinge the image of his client, the defendant. The jurors, feeling they were judging Pruiett, a wronged man, would just naturally be swayed by him every time.

By the end of his first year as a criminal lawyer, Pruiett

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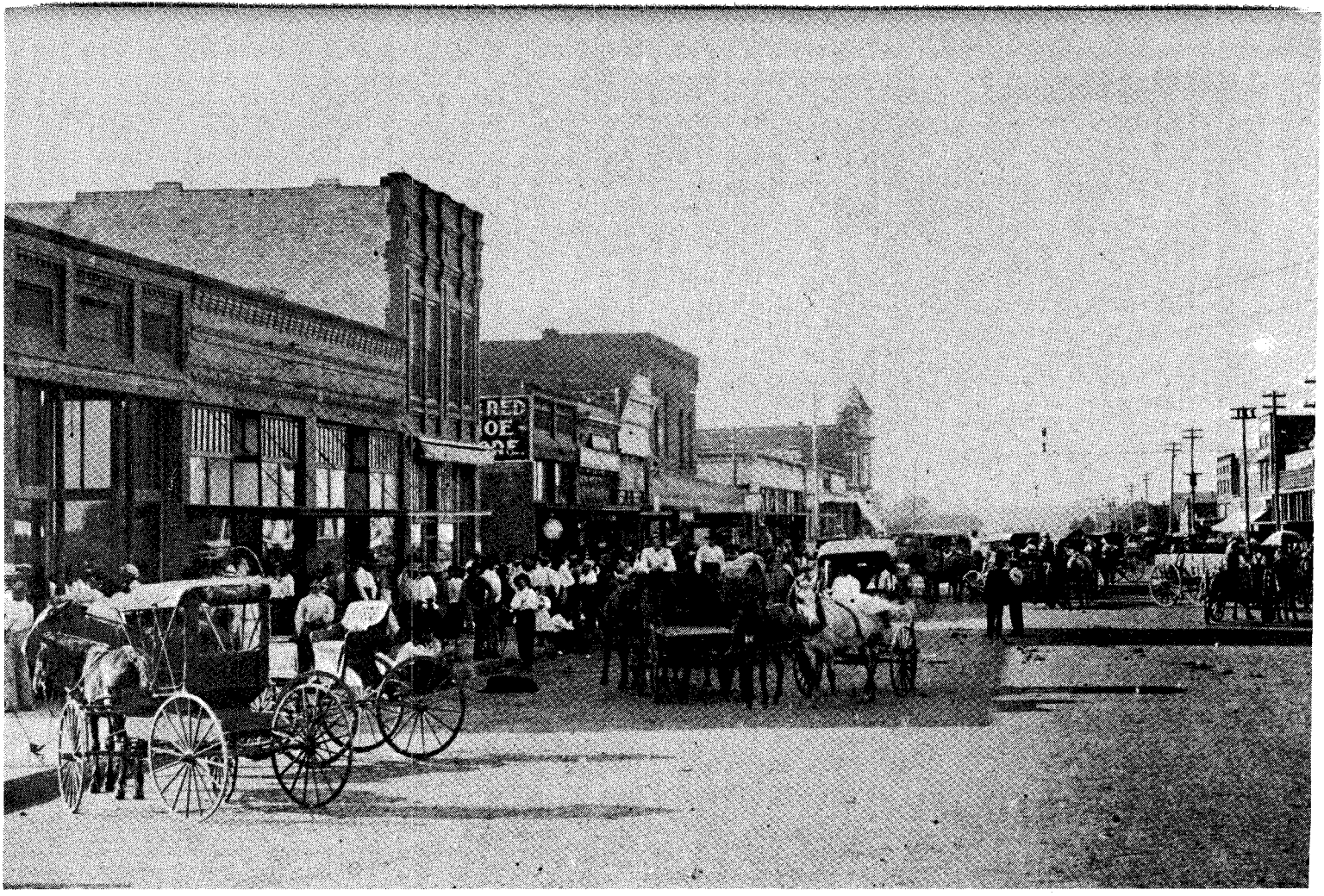

Street scene in Ada, Oklahoma, where citizens thwarted Moman Pruiett's courtroom magic by handing out "early" justice.

had defended 31 people charged with murder or other major crimes. Of these, 30 walked out free men. The one conviction resulted when a defendant became excited and blurted out a confession of rape and assault on the witness stand. The man, Charles Bias, was sentenced to hang.

Pruiett hadn't yet achieved the affluence of his later years and needed funds to continue his client's defense. Cal Grant, the banker who had helped Pruiett snare his first case, lent him $300 and Pruiett went to Washington where he made a personal appeal to President McKinley. Pruiett's client had his sentence commuted to life imprisonment.

LIKE SOME other talented men, Pruiett was a pariah, an outcast from the society he protected and fought. There is little doubt that he felt rejected, frustrated, at odds with himself.

Cal Grant said of Pruiett, "I look on that boy as I would a son but there is still an invisible fence which I can't hurdle."

And his only other staunch friend, Sam Garvin, added: "He's driven, driven by hatred. It will make him a great lawyer but it will destroy him too."

Moman Pruiett was an enigma in another way. In those days few men shaved, and still fewer bathed regularly. Moman did both each day. Moreover, he was extremely neat and meticulous in his manner of dressing. He wore expensive, slightly garish suits set off with a slim cane which he twirled with elegance seldom seen on the frontier. He always wore his black hair long, keeping it slicked down like a polished eight ball.

Pruiett was basically an addictive type, honing his reflexes to the automatic responses of gambling and drinking. What he didn't spend on one he spent on the other. Both stretched his nerves to fiddle-string tautness. He had a temper like a steel trap; the most impersonal slight sent him into a towering rage.

Wade Hampton, a notorious horse thief, faced long delayed retribution in Missouri when a Cattleman's Association detective caught him. Hampton sent for Pruiett, knowing that he was probably the only one who could save his neck.

Both Hampton and Pruiett had a dedicated enemy in the person of Lou Andrews. Pruiett was hated because he had outwitted Andrews in court, and Hampton because he had stolen some of his cattle in the past. Andrews informed both the federal attorney and judge at St. Joseph, where Hampton was to be tried, of Pruiett's criminal record.

Pruiett faced a formidable array of prosecutors who managed to seat two jurors favorable to the cattleman before Pruiett realized it. Bitterness and invective marked the trial from the first, with the prosecutors calling attention to Moman's past. In turn he questioned the parentage of the attorney's saying, in part, "Be fruitful and multiply."

Pruiett knew that 'Fighting Joe" Shelby was a revered legend in Buchanan County and he had learned that two distant relatives were members of the jury panel. By innuendo and insinuation, Pruiett managed to make them believe that Shelby and his client were also related.

Once in the privacy of the jury room, the Shelby relatives set it down clearly:

"We don't aim to have any Shelby kin hung, so no one leaves here without voting an acquittal."

With that job done, Pruiett had another to do. He wanted to deal with Lou Andrews who had informed the court of Pruiett's record. Though Pruiett was a large man, Andrews was even bigger. But the fiery attorney never had an iota of fear in him, no matter how big his opponent happened to be.

Pruiett was walking towards his office when he met Andrews. After hurling an epithet, Pruiett smashed his pistol against the bigger man's head. When Andrews didn't go down, a lesser man would have retreated, but Pruiett stood his ground and proceeded with a severe pistol whipping.

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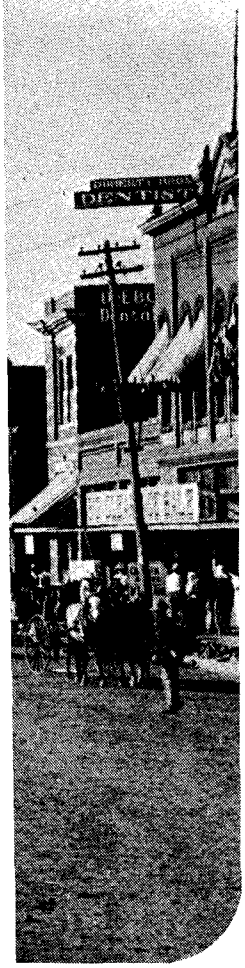

Oklahoma Historical Society Photo

Bellman Collection Photos

Sam-Wilkerson and his wife (both above) were defended by Pruiett when they were arrested for murder.

Pruiett was arrested, largely because of Andrews' influence and pre-eminence in the area, but it wasn't more than a few minutes before the jury found him, by standing vote, "Not Guilty."

PRUIETT WAS conditioning himself to respond to any situation as an alcoholic. If times were good, that was time for a drink. If things were bad, that too was a reason to drink. Following the Andrews incident, Pruiett disappeared for two weeks. He returned to his practice shaken, pale and aching with unresolved hate.

Pruiett was ready mentally and physically when the Sam Ashton case was offered him. He accepted it eagerly, perhaps sensing it offered all the aspects of the flamboyant trial in which he could expose frontier justice for what he thought it was: a mockery and a circus.

Sam Ashton was a renegade with no more concern for human life than a rock crusher. He had attempted to hold up old man Dismuke's store at Hickory. Foolishly, Dismuke tried to protect his money and forfeited his life for it. His son Charley, wild with grief and rage at the senseless killing of his father, was also shot by Ashton.

The Dismukes were close personal friends of Sam Garvin, the person who had befriended Moman Pruiett.

Ashton's two wealthy uncles were willing to spend money in defense of Sam, and wanted Pruiett to put on the show. Pruiett, demurring because of his friendship for Garvin, set his fee at a fantastic $5,000 thinking that would scare off the uncles. Instead they came up with the money as fast as they could unsnap the bands from their rolls and paid the retainer. Pruiett then felt obligated to accept it and defend Ashton. Besides, he would have done it for nothing, if it hadn't been for Garvin.

Sam Garvin countered by hiring Stillwell Russell as a special prosecutor and nobody would give any odds for Pruiett's chances. Moreover, even Russell was astounded when Pruiett made no objection to Tom Adkins and Charley Webb being seated as jurors.

"They'll slip the noose over Ashton's neck," another attorney said. "Why Tom'd vote to hang a man for stealing a chicken."

Despite his intentions of seeing Ashton hung, old Tom lost some of his zeal when he became interested in a doll-faced beauty, a stranger to Paul's Valley. Women, to Tom, were like honey to a bee.

Charley Webb was considered a "sinker" (a juror known to be prejudiced) for Sam Garvin.

Completing this array against Pruiett was Bill Johnson, the Federal District Attorney, who was delighted to have the great Pruiett in such a fix.

"He'll never get out of this one," Johnson said.

Stillwell Russell had a different reaction:

"When Pruiett deliberately puts his foot in a trap, you can be sure the trap won't work. I don't care if there are two sinkers on the jury."

The trial almost was an anti-climax. Evidence piled up against Pruiett's client and witnesses contradicted one another until no one was entirely sure who was lying and who wasn't. However, Pruiett had an ace which would take any trick, if his client was in danger. He had arranged to get a message into the jury room while they were deliberating.

Charley Webb was voting right down the line for conviction, even though the jury stood 11 to 1 for acquittal. Then Pruiett scrawled a note addressed to Webb, and got it into the jury room. A few minutes later, the "not guilty" verdict was returned. Pruiett gathered up his papers and went back to his office. He was having a belt of old busthead when Sam Garvin broke in.

"Moman, you sold me down the river," Sam Garvin hollered. "You sent Webb a note *(Continued on page 50)*

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The year 1929 is a year to remember in more ways than one; and January 13th has a special significance for people interested in the Old West

by Tom G. Murray

(*Author of* DEATH VALLEY SCOTTY)

THE DAY WYATT EARP DIED

THE YEAR 1929 IS KNOWN for the big crash of the New York Stock Market. It was also the year Bebe Daniels and Ben Lyon announced their engagement.

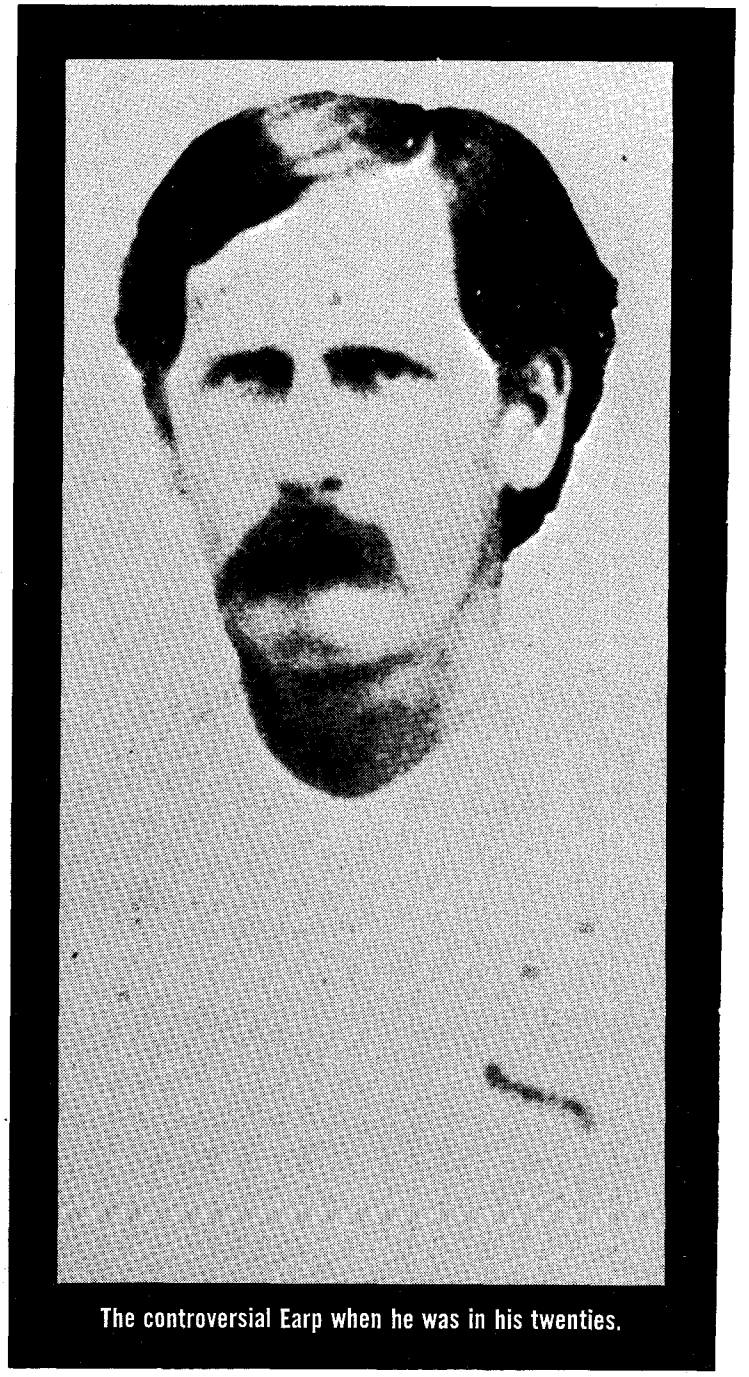
In Los Angeles butter was selling for 45 cents a pound and a dozen extra large eggs were 41 cents. Local movie houses were offering such films as "The Rescue" with Ronald Colman and Lily Damita and the "Shopworn Angel" starring Gary Cooper and Nancy Carroll.

In Paris Ferdinand Foch, Marshal of France, was gravely ill following a heart attack. In Chicago, Illinois, gangsters killed seven rivals in the "St. Valentine's Day Massacre."

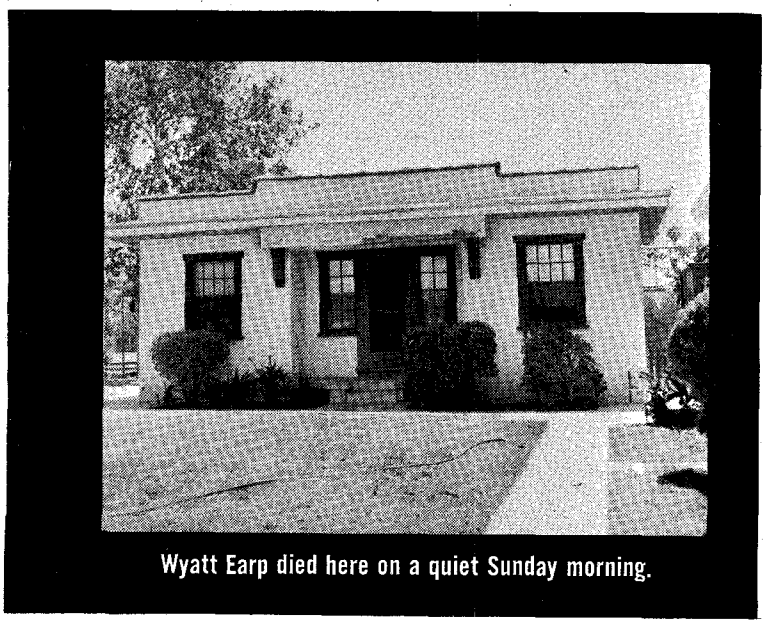
And on January 13th, 1929, in a modest little home at 4004 W. 17th Street, Los Angeles, near Crenshaw and Venice, one of the most famed figures of the Old west—Wyatt Berry Stapp Earp—breathed his last at 8:05 A.M.—without his boots on.

It was a quiet Sunday morning. At his bedside were his wife, Josephine Sarah Earp, and Dr. Fred C. Shurtleff, who had been with him constantly the past twelve hours.

Earp's friend Jim Mitchell wrote in the Los Angeles *Examiner* on January 14th, 1929: "He was 80, when death knocked. It found the old lion of Tombstone ready as ever. He knew he had been playing hooky from the graveyard since that day nearly fifty years ago when the outlaw Curly Bill and his wild bunch practically shot his clothes off without inflicting a single wound."



The controversial Earp when he was in his twenties.



Wyatt Earp died here on a quiet Sunday morning.

In death "the Lion of Tombstone" was not alone. It was a rainy January 17th that the Old West came to bury Wyatt Earp. His funeral was conducted at Pierce Brothers Chapel at 720 W. Washington Blvd. It looked like a reunion of the sturdy men and women who knew Wyatt Earp as a wiry six foot two-gun officer in mining towns, cow-camps and also anywhere along the frontier where hell was apt to break loose.

George M. Easton came in from Colton, recalling that it was the Earp boys who were called into Colton to help clean up that town at a time when outlawry was so rampant that desperadoes used to ride into town at night and knock out the lamps in the houses with their guns.

Bill Hart, no novice in the ways of the West, came from his ranch in Newhall and was one of the pallbearers. Hart, as a little boy, knew Wyatt in Dodge City. Tom Mix, an-

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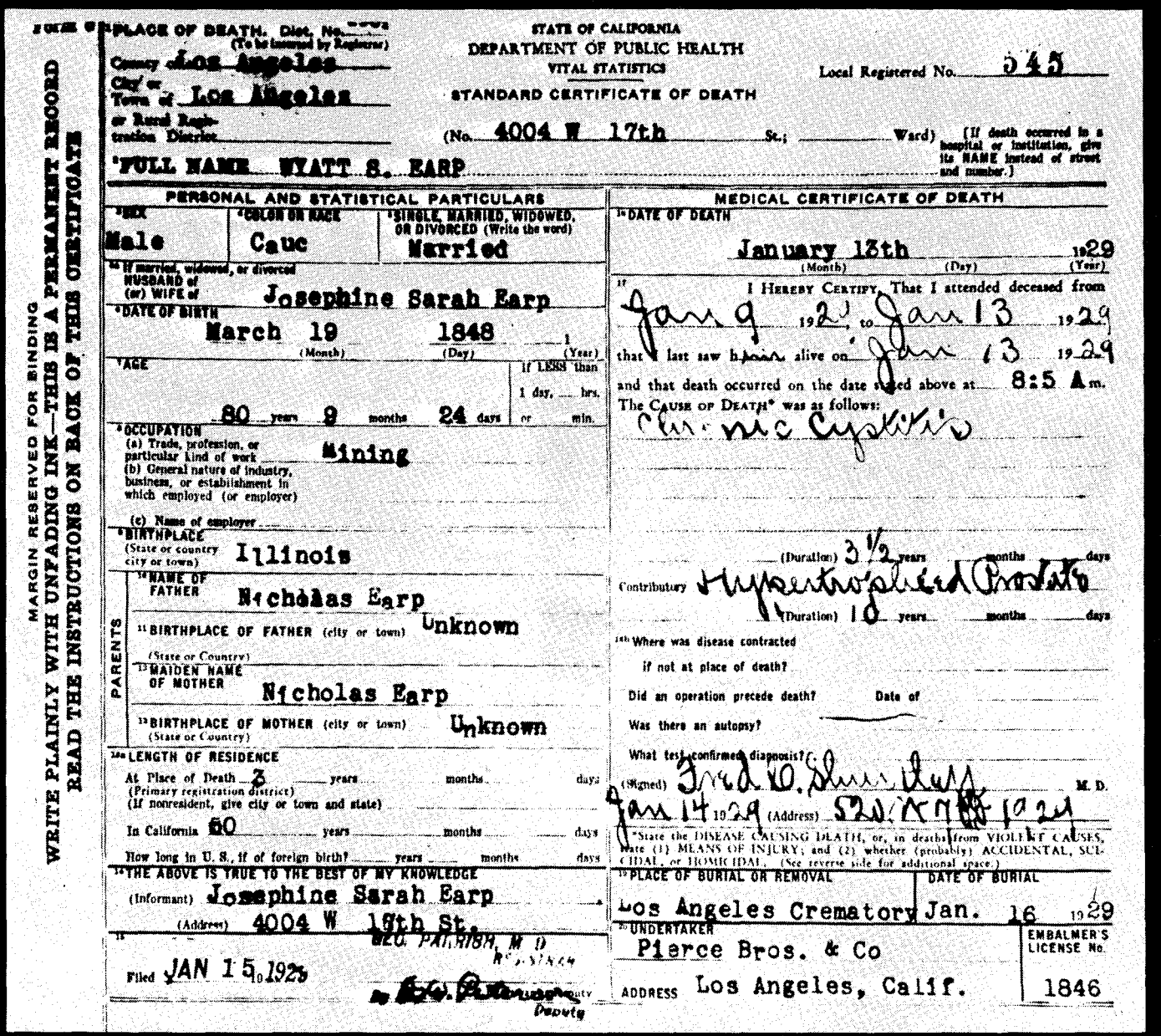
Author's Photos



MARGIN RESERVED FOR BINDING

WRITE PLAINLY WITH UNFADING INK—THIS IS A PERMANENT RECORD
READ THE INSTRUCTIONS ON BACK OF THIS CERTIFICATE

PLACE OF DEATH. Dist. No. ____ (To be inserted by Registrar)
County of Los Angeles
City or Town of Los Angeles
or Rural Registration District ____

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH
VITAL STATISTICS
STANDARD CERTIFICATE OF DEATH

Local Registered No. 545

(No. 4004 W 17th St.; ____ Ward) [If death occurred in a hospital or institution, give its NAME instead of street and number.]

FULL NAME WYATT S. EARP

PERSONAL AND STATISTICAL PARTICULARS

SEX: Male
COLOR OR RACE: Cauc
SINGLE, MARRIED, WIDOWED, OR DIVORCED (Write the word): Married

If married, widowed, or divorced HUSBAND of (or) WIFE of: Josephine Sarah Earp

DATE OF BIRTH: March 19 (Month) 1848 (Day) 1 (Year)

AGE: 80 years 9 months 24 days — If LESS than 1 day, ___ hrs. or ___ min.

OCCUPATION
(a) Trade, profession, or particular kind of work: Mining
(b) General nature of industry, business, or establishment in which employed (or employer)
(c) Name of employer

BIRTHPLACE (State or country city or town): Illinois

PARENTS
NAME OF FATHER: Nicholas Earp
BIRTHPLACE OF FATHER (city or town) (State or Country): Unknown
MAIDEN NAME OF MOTHER: Nicholas Earp
BIRTHPLACE OF MOTHER (city or town) (State or Country): Unknown

LENGTH OF RESIDENCE
At Place of Death 3 years ___ months ___ days
(Primary registration district)
(If nonresident, give city or town and state)
In California 60 years ___ months ___ days
How long in U. S., if of foreign birth? ___ years ___ months ___ days

THE ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
(Informant) Josephine Sarah Earp
(Address) 4004 W 17th St.

Filed JAN 15 1929
GEO. PARRISH, M. D. Registrar
By [signature] Deputy

MEDICAL CERTIFICATE OF DEATH

DATE OF DEATH: January 13th (Month) (Day) 1929 (Year)

I HEREBY CERTIFY, That I attended deceased from Jan 9 1929 to Jan 13 1929
that I last saw him alive on Jan 13 1929
and that death occurred on the date stated above at 8:5 A.m.
The CAUSE OF DEATH* was as follows:
Chronic Cystitis
(Duration) 3 1/2 years ___ months ___ days
Contributory Hypertrophied Prostate
(Duration) 10 years ___ months ___ days

Where was disease contracted if not at place of death?
Did an operation precede death? Date of
Was there an autopsy?
What test confirmed diagnosis?
(Signed) Fred D. Shurtleff M. D.
Jan 14 1929 (Address) 520 N 7th 1929

*State the DISEASE CAUSING DEATH, or, in deaths from VIOLENT CAUSES, state (1) MEANS OF INJURY; and (2) whether (probably) ACCIDENTAL, SUICIDAL, or HOMICIDAL. (See reverse side for additional space.)

PLACE OF BURIAL OR REMOVAL: Los Angeles Crematory
DATE OF BURIAL: Jan. 16 1929

UNDERTAKER: Pierce Bros. & Co
ADDRESS: Los Angeles, Calif.
EMBALMER'S LICENSE No. 1846

The death certificate listed the gunman's occupation as mining.

other of Wyatt's friends, was also a pallbearer. Mrs. Roma Thorndyke was numbered among the mourners. Tears filled her eyes when she recalled how Earp shot it out with the Clantons at Tombstone.

Maj. John P. Clum was another pallbearer. The Major was a long-time friend of the Earps and a leading citizen of Tombstone when Earp was his chief of police. The major was founder and editor of the Tombstone *Epitaph,* a newspaper whose history is wrapped in the history of the West.

Wilson Mizner, another pallbearer along with J. P. Browner, had known Earp in the Klondike country. Other pallbearers included George W. Parsons, formerly of Tombstone, Ambrose Meyer, Charles Welch, Fred Dornberger, and Jim Mitchell.

Out from the colorful past of the Old West stepped these friends of Wyatt Earp, their numbers increased by others until extra chairs had to be brought into the chapel. There they sat, bronzed of face, those who were not white-haired were bald. Many of them carried canes. Some wore business suits and some wore heavy jackets of wool or leather. Others wore large, long overcoats made to "turn the wind."

In the chapel Wyatt's bier was banked high with flowers. Harp music was played. Dr. Harper of the Wilshire Congregational Church began to speak: "We are here to pay our respects to one who has journeyed across the plains of life for a long time." Earl C. Houk, a blind baritone, sang "Beautiful Land of Somewhere." The brief service was over. Mourners passed by the coffin. Sadly enough, Earp's wife was too overcome with grief to attend his funeral. Wyatt's remains were cremated; and, according to Pierce Brothers, they are in the Eternal Home Cemetery in Colma, California.

In January of 1962 Earp's old home on 17th Street was razed and the land has become part of a nearby schoolyard. Just before the home was razed I rescued Wyatt Earp's door numbers. They will always remind me that it was here on a quiet Sunday morning that the famed Wyatt Earp died without his boots on. ●

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Tom Averill Vernon: he vowed to avenge the massacre of his parents.

TRAGEDY ON THE SWEETWATER

by Carl W. Breihan

MANY A YOUNG TV viewer today concocts a gruesome day dream as he wonders how much hardship he could have endured if he had lived in the days of the Indian frontier battles. But no such daydream has ever equaled the true experience of Buffalo Tom.

This was the boy who was exposed to murder by supposedly civilized white men and miraculously saved by supposedly savage Sioux Indians in the Dakotas. Tom Averill grew up to become famous as Tom Vernon, the buffalo rider in the Wild West Shows which were staged throughout the world by Buffalo Bill Cody.

Knowing that his life story was too fabulous to be easily believed, Tom went to considerable trouble to document his claims regarding his birth and the death of his parents.

It was Tom's aim in life to vindicate his mother and father from the false and scandalous reports which the cattle barons spread in their campaign to sweep the plains of homesteaders so as to keep an open range.

And Tom succeeded in correcting the record. He even left

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Young Tom was beaten, kidnapped and shot, then tied with wire and chained inside a deserted dugout—but he lived to point out his black-hearted torturer to his avenging Indian friends...

Author's Photos.

Annie Oakley—Tom Vernon's guardian when he was 15.

to posterity a list of names of the Wyoming cattle syndicate members who had engaged the killers to do their bloody work.

Until Tom was eight years old he lived in a neat little log cabin behind a general store which his father, Jim Averill, had established on the Old Oregon Trail near Independence Rock, in Carbon County, Wyoming. He played in the lush bottomlands of the Sweetwater River and thought that life was wonderful on the green prairie where his parents had each homesteaded 160 acres.

His mother, Ella Averill, the daughter of Missouri pioneers, had the pluck of the best pioneer women. She labored beside her husband to improve their home year by year.

They raised vegetables, cows and horses. The haphazard business at their store developed more and more as numerous homesteaders moved into the region. It looked to the Averills as though their hard work had put them on the road to success, and all their neighbors within a radius of fifty miles respected them for their fortitude.

But the range had previously been open to the roaming cattle of the big outfits. Now, as each homesteader fenced his 160 acres to meet the government's requirements, he was marked as an enemy.

There was no doubt that enough homesteaders and enough fences would wreck the business of the cattle barons. Therefore these men ruthlessly undertook to discourage the settlers.

There was only one way of preventing new pioneers from staking claim to this land: frightening the homesteaders already here into leaving, and making it clear to others that the dangers were too great to surmount.

It was not difficult to hire men without scruples who would, for a price, carry out a campaign of threat. Nevertheless, the threats did not intimidate the hardy settlers, who felt that the final chips were down, and grimly waited to be dealt the last hand.

Then it was that the organized cattlemen resorted to tangible harm, creating horrible examples of what awaited settlers who dared to enter the region.

Tom was not too young to sense the grip of fear as various settlers stopped at the general store, which was also a post office, to make purchases and confide their troubles to Jim and Ella Averill. He listened with the same dramatic suspense that a boy of today watches a TV story about cowboys beating rustlers to the draw. It was exciting, but it seemed far away from reality, and Tom did not take it too seriously for a long time.

Finally, however, even a boy of eight could not ignore the evil undertones, especially when threats were acted upon, bringing murder and ruin. When one after another of the homesteaders had been threatened with death if he did not move westward, and later had been found dead in a gulley, nobody could consider such a string of disasters as isolated incidents. The homesteaders soon realized that a systematic campaign was directed against them and none of them was exempted from the attacks of their powerful opponents.

The crime of the settlers was in their making use of a part of the range which the cattlemen were determined to keep for themselves.

Regardless of government approval of their claims, regardless of the hardships by which they had paid for their 160 acres apiece, their rights as landowners on the prairie were never to be respected by the big cattle barons.

Whenever Tom heard about fences torn down and cattle driven off to places where they were never seen again, he felt both defiant and vengeful. Constantly he heard about whole wheatfields or barleyfields that were burned in the night. Barns and dwelling places were repeatedly left in ashes. In order to save their lives the settlers had to flee.

Gradually, Tom was consumed with fear and furious anger at the same time. One of the reasons for this complex of emotions was his helplessness to do anything to correct the injustice. Even the grown-ups failed in all their efforts to forestall the arson and murder of the hired guns.

Jim and Ella Averill steadfastly refused to run when they were threatened, and Tom looked upon them with wonder at their courage.

Jim Averill was a short, thick-set man who relied upon his own integrity and who, even when recognizing the danger which hovered over the whole region, believed he could win out against the cattle barons. His wife stood shoulder-to-shoulder beside him and practically stiffened his spine by her own courage. Tom's fear almost evaporated when he saw his parents refusing to join settlers who left in their last wagons. He admired the way they stood by their rights, ready to face whatever battles they had to fight in order to protect their homestead.

Jim Averill was a well-read man, and one of the reasons that the cattle barons first marked him as a danger to their plans was that he had read and digested the laws which defined the

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rights of homesteaders. The killers could frighten men who were not entirely sure of their legal rights, but Jim Averill could answer them back by quoting a pertinent section of the Wyoming code.

Worst of all, Jim Averill subscribed to eastern newspapers. He read the false reports which the big cattlemen spread against the homesteaders. According to them every settler was a thief and a liar. In turn Jim Averill wrote letters to the newspapers correcting the false reports, explaining the case for the homesteaders, and his letters were printed in the same columns.

However, his feeble voice was not equal to the organized campaign in the newspapers. It was merely accepted by the cattlemen in Wyoming as a warning that Averill was a man they had to blot out. They recognized him as the spearhead of the opposition to their unjust monopoly of the land.

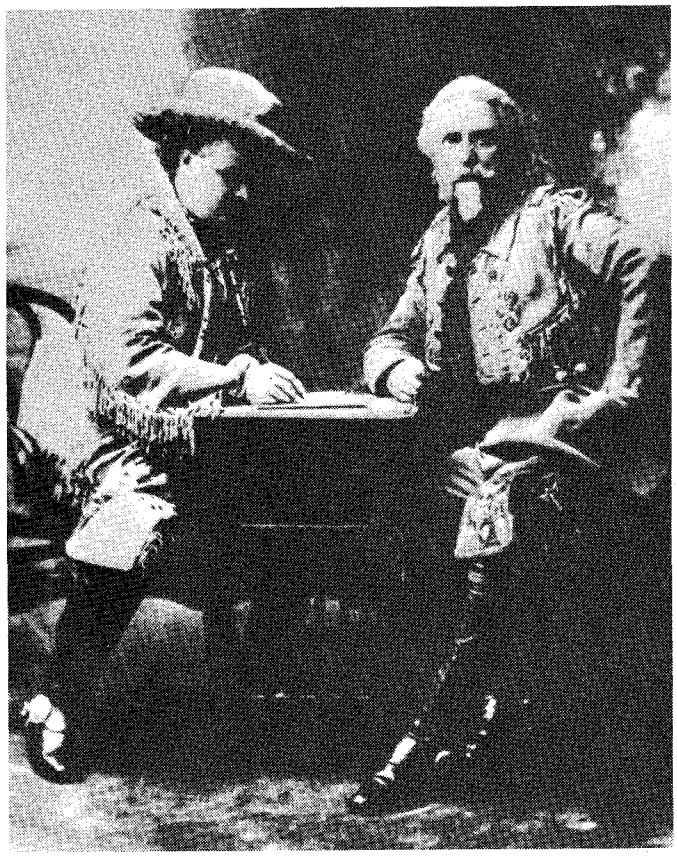
The homesteaders were acquainted with the Board of Livestock Commissioners who were always finding some excuse to prove that their fences were in the wrong place or that they had not legally proved up on their claims. Even though the homesteaders had government papers to back up their claims, they were constantly flouted by men who sided with the cattle barons.

There was another organization called the Cattlemen's Association, but this was composed of the same men who made up the membership in the Board of Livestock Commissioners. First one group claiming to be from one "official" combination and then another group claiming to be from the other would ride up to a ranch and demand what they called their rights. The average settler was completely confused by the legal accusations hurled at him, and if he held out for a while it was only to meet more deadly measures.

After their threats the cattlemen sent their hired guns to use fire as a deadly hint that a settler had better not stay. If the burning of all his possessions did not convince him, then he was shot when he went to round up his cattle. Widows and children, after such episodes, usually found some way of getting out of the prairie, and it did not matter to the big outfits where or how they went. Their whole object was to clear the prairie so that their cattle could roam on a never-ending pasture, otherwise they could not retain their power and importance.

Author's Photos.

Tom Grant—his posse found Vernon's slain parents.



Buffalo Bill (right) with Pawnee Bill: They aided Vernon.

One "accident" after another made the prairie a hell of fear, and no man with a family dared to risk their welfare. Family after family withdrew toward the west, hoping to find government protection in some spot not being stifled by the big cattlemen.

Jim Averill decided that the homesteaders ought to organize for their own protection against the Board of Livestock Commissioners and the Cattlemen's Association, so one day he called a meeting in his trailside store. Settlers from many miles around came, to discuss ways in which they could get government protection or in which they could help one another to continue on their farms. But the only result of this meeting was that Jim Averill became more than ever the marked target for the barbs of the syndicate.

The settlers had brought their families through hundreds of miles on starvation rations. They had fought Indians and had seen their loved ones die of wounds or sickness before they arrived on the prairie. They had continued to starve and had worked with a superhuman effort in order to prove up on their acres. Moreover, they were still without comforts and still lacked bare necessities. But they were willing to hang on, through natural miseries, in the hope of eventual success.

However, to live through evil attacks by men determined that they should never enjoy the land on which they labored, regardless of their legal rights, sickened them. For a piece of their own land they were willing to suffer, but against the "bloated octopus" of their organized enemies they felt helpless, and they chose to flee.

Despite (even because of) Jim Averill's newspaper letters, and despite his letters to the Land Office in Washington, the situation became more and more desperate. After all, near neighbors had been burned out or shot, one family after another had been glad to get away in a bare wagon after their other possessions had been destroyed. The Averills still held out, but they felt the pressure increasing as one effort after another was made to catch them in a position that would justify one of the henchmen in killing them or in dragging them off to jail.

Once a stranger was brought into the store by Black Mike, a

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Photo: Copyrighted by Fred & Jo Mazzulla.

Ella Watson Averill, first woman lynched in Wyoming.

man in the employ of the cattlemen. The stranger had been told that Ella Averill was Cattle Kate, a rustler and woman of loose morals. He made advances toward her which might have been calculated to inspire Jim Averill to start shooting. Jim himself would then have been shot from behind, the blame left upon him for having drawn first. But in this instance Jim beat the stranger with his bare hands and thus got rid of him.

Another time Black Mike tried to encourage Jim to sell whiskey to an Indian. That would have been another excuse to march Averill off to jail.

Tom saw one family after another come by to explain their leaving the range, then never saw them again.

"They've burned me flat," was part of the usual farewell. "Just before dawn the fire started in the barn and the house at the same time. It started from burning arrows shot into the hay and through the house windows. The fields are black now. You better git, too, Jim. They'll git you next."

"I'm staying," said Jim Averill.

"We're staying," said Ella, standing beside her husband.

Tom wanted to go along with this last family, because without them there would be no children for him to play with. But he was thrilled at the heroism of his parents. Besides, he had a hazy idea that he might grow up in time to conquer the organized cattle barons before they could do much more damage.

As each family stopped at the store to say goodby, Tom heard the halfhearted remark: "If any mail comes, save it till you hear where we're at."

None of the retreating families had any idea where they would go next or what they would do. Simply, they could no longer buck the opposition of the iron-willed cattlemen. Each time Ella Averill went out to the wagons to talk with the women, they were crying. They had begun to be afraid they would never again find a place of safety.

Tom watched as his parents bade farewell to all the families whose land ringed the store in a radius of fifty miles. Before long the Averills were alone, their only hope of any communication with human beings lying in the trail by which travelers would be likely to pass.

What Tom as a little boy could hardly understand was the cruelest part of the enemy campaign: they had taken to smudging cattle brands and claiming that the homesteaders had rustled their cattle. Accusing them of being ruthless was the worst threat of all. Whenever a man was shot from behind, the cattlemen could always say he had been caught rustling and had run when accosted. No other explanation was necessary, and there was no defense for the accused.

Jim Averill said, "I'll see that they don't plant any blotched brands on me. I've got eighty cows and twenty head of horse, right branded and registered, and everybody knows what I got. I'll ride fence every day if I have to."

The next news to come was that Jim and Ella Averill had been reported as outlaws. The claim was that they had made a deal with a tribe of Indians and had been driving stolen cattle by the hundreds to the Dakotas. Jim Averill considered this with a determination to find a way to clear his name—but when he heard that it was rumored he and Ella had never been married, then his anger couldn't be controlled.

"They better stay off that tack!" he shouted.

But he could not name the "they" and he could not shoot or strangle his vague mysterious accusers.

Next there was a night fire in the store—most accidental, of course, though Jim Averill found that a kerosene-soaked rag had started it while he and his wife and son were asleep. He decided not to make any accusation, since he could not name the arsonist. But he had heard the flames crackling in time to rise and save the barn, and as soon as possible he rebuilt the store and the hut in which the family made their living quarters.

When settlers rode over to help, Jim Averill said carefully, "Must have been a faulty flue."

One of the ranchers said, "Yeah, I've done a pile o' traveling before I hit the Sweetwater. And I heard a lot about them bad flues all the way."

Then he swung into the saddle and added, "There's gonna be a powerful lot o' bad flues from here on. You folks got my sympathy."

The next thing that happened was the loss of Jim Averill's eighty cows—through a broken fence, though that fence had been whole the day before. He trailed *(Continued on page 47)*

Photo: Copyrighted by Fred & Jo Mazzulla.

Jim Averill—he begged lynchers to free Emma.

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Guarding The RIO

Captain White's 20-year service along the Rio Grande accustomed him to strange sights and situations, but fat old Gregoria was one of the strangest

by O.W. Nolen

FOR MANY YEARS one of the most dangerous branches of government work was that of the U.S. Customs Service along the Mexican border in Texas. The whole region was infested with smugglers, bandits and outlaws, whose invariable rule was to fight to a finish when discovered or interrupted in some nefarious activity.

One reason why the work was so dangerous was because the territory up and down the Rio Grande was covered with dense chaparral, mesquite trees, and brush of all kinds, through which the smugglers and outlaws could travel with considerable safety. The Mexicans called it the *brazada,* or brush country.

J.D. White, who was familiarly known as Captain White, joined the customs service as an inspector at Brownsville in 1914, the beginning of a 20-year career during which he was a participant in numerous gun battles and hand-to-hand fights with outlaws and smugglers.

When he entered the service the inspector, like the Texas Ranger, had to furnish his own horse, saddle, gun and other equipment. The men were paid three dollars a day, with an additional one dollar to pay for feed for their horses. Subsequently they were paid a straight salary of $125 per month.

The duties of the inspectors were mostly confined to combatting the activities of smugglers, who would sneak contraband liquor, horses and cattle across the border into Texas, the animals often having been stolen from their owners in Mexico.

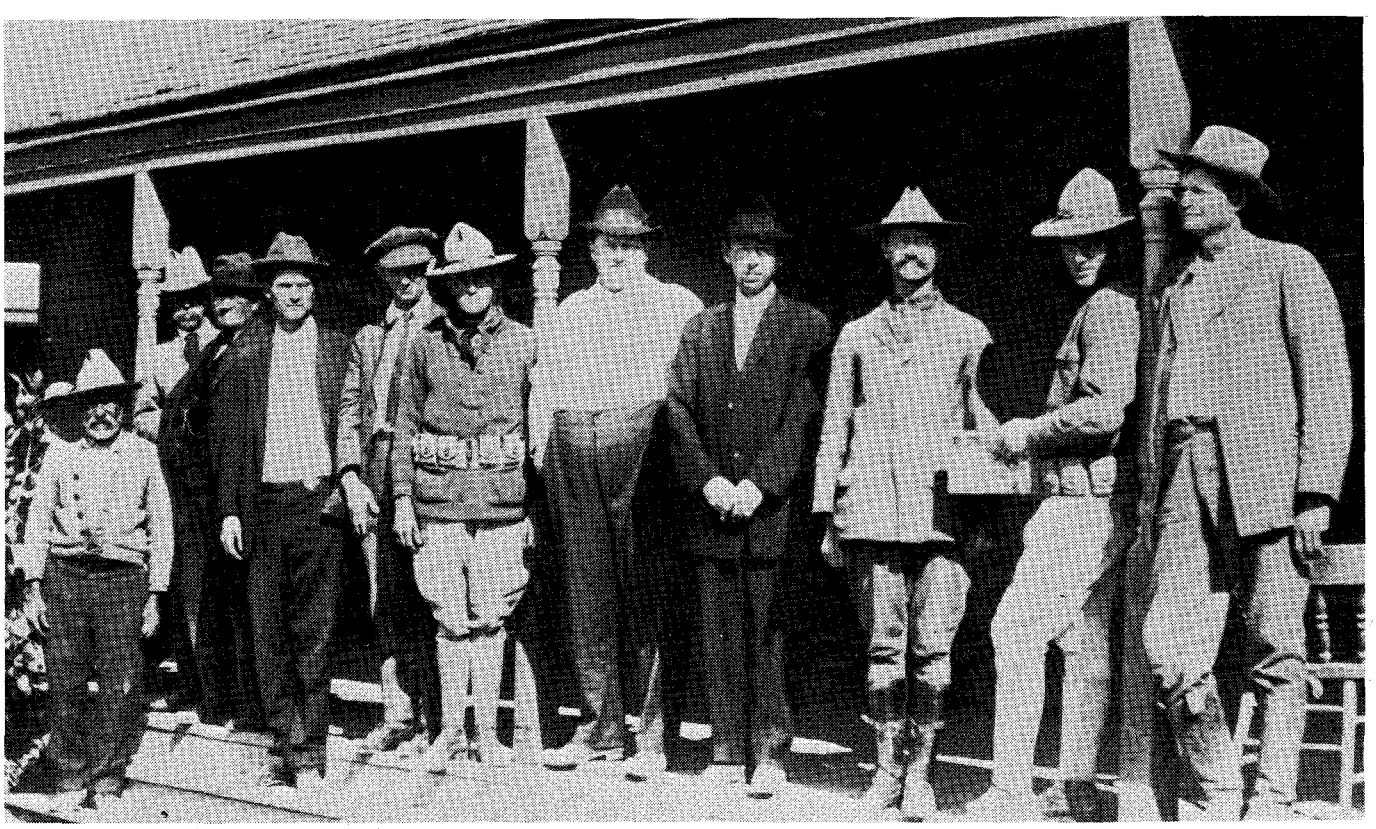
The inspectors would also assist local officers, when called upon, to apprehend wanted criminals. Some of Captain White's narrowest escapes from death or injury came while working with local authorities.

One such incident occurred at Mercedes. A short time before, some Mexicans had come across the river at night, roused up a store keeper and demanded $500 — immediately — on the threat of death. He gave them the money and then notified the American authorities of his loss.

Captain White happened to be in Mercedes a few days later and was asked by local authorities to join them in hunting for someone they wanted, and he agreed to go with them. They went down into the Mexican part of town and came to a place where there were only two buildings on the first half of the block, one of these being a restaurant.

When they approached the block they saw two Mexicans in conversation near the restaurant, standing beside a horse and buggy under a mesquite tree. When the Mexicans saw them coming one of them ran to the rear door of the building, but it happened to be locked, so he ran around to the front.

Captain White was mounted on a horse, and when he saw the



Rare picture of United States Government Forces, Hidalgo, Texas, 1917; J.D. White, border guard, is at right.

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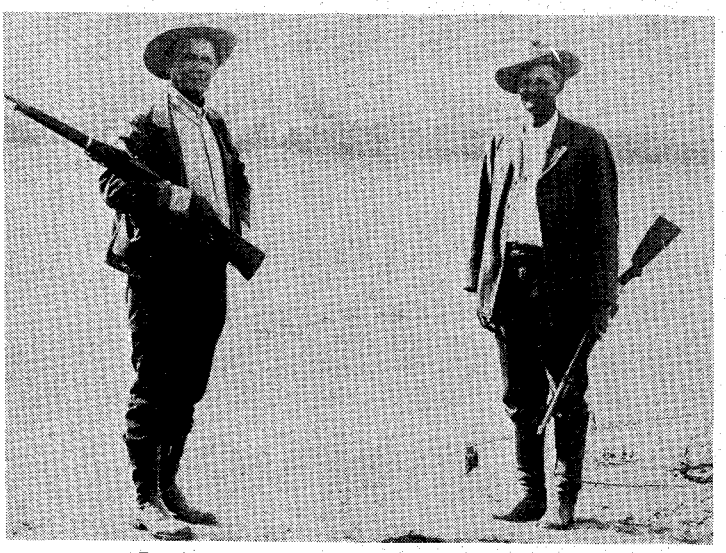
GRANDE



J.D. White (right) guards the Rio Grande; man at left is Deputy Sheriff Clark of Hidalgo County.

man running he spurred his horse forward and dismounted just after the Mexican had run inside. He supposed the Mexican had run to destroy some contraband mescal before the officers could get to it, but he was mistaken. As White started inside he met the man coming out — with a Winchester in his hands. The character did not see Captain White at first, as he seemed to be desperately trying to get a cartridge into the barrel of the gun.

He looked up in startled surprise as Captain White appeared in the doorway, then jerked the gun up and fired point blank. The bullet just grazed the inspector, plowing up the dirt in the roadway. Before he could fire again White pulled out his gun and shot the man through the chest. Although seriously wounded, the Mexican sprang forward and grappled with the Inspector. White, catching him by the back of the collar, pulled him loose, and the Mexican dropped dead on the floor. He had been shot in the heart.

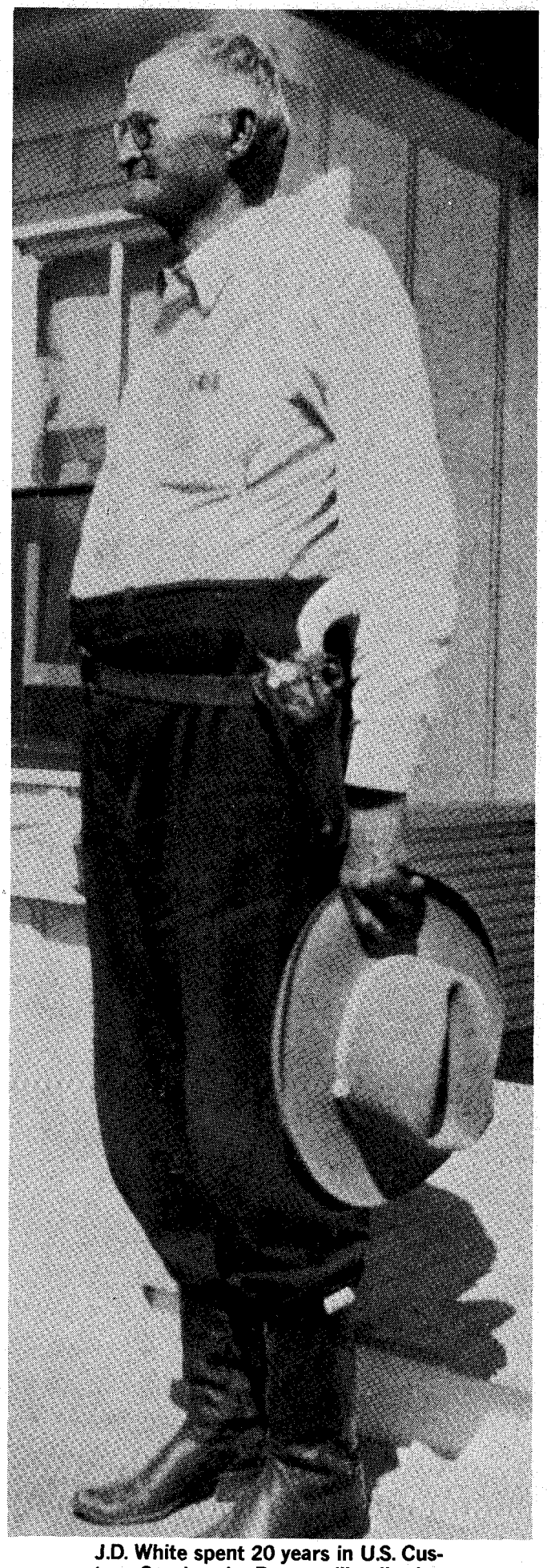
The inspector had an even closer call not long afterward. It happened at McAllen. One day a deputy sheriff by the name of John Bales told him there was a suspicious character in town and wanted help in arresting the culprit.

That night Bales, another deputy sheriff, a constable and Captain White, set out to find the man. The path led down a dark alley to a shack to which the suspect had been trailed.

They knocked on the door, which suddenly jerked open, allowing a blast of gunfire to blaze through. Deputy Bales dropped to the ground, hit with the first shot. The other two men ran back into the darkness, but Captain White shoved his gun forward into the door and kept shooting until he emptied his gun. He then pulled cartridges from his gunbelt to reload the pistol. As he was doing this the man inside suddenly fired point blank at him. Captain White fell to the ground.

His assailant escaped into the alley, firing as he retreated. The constable fired at him as he ran past and wounded him in the leg, but the gunman escaped in the darkness, to be apprehended the next day.

Captain White quickly got to his feet and gave his attention to the deputy sheriff, who was badly wounded. What had happened to Captain White was practically a miracle. The bullet struck and was deflected by a metal spectacle case in his shirt pocket, thereby cheating the grim *(Continued on page 52)*



J.D. White spent 20 years in U.S. Custom Service, in Brownsville district.

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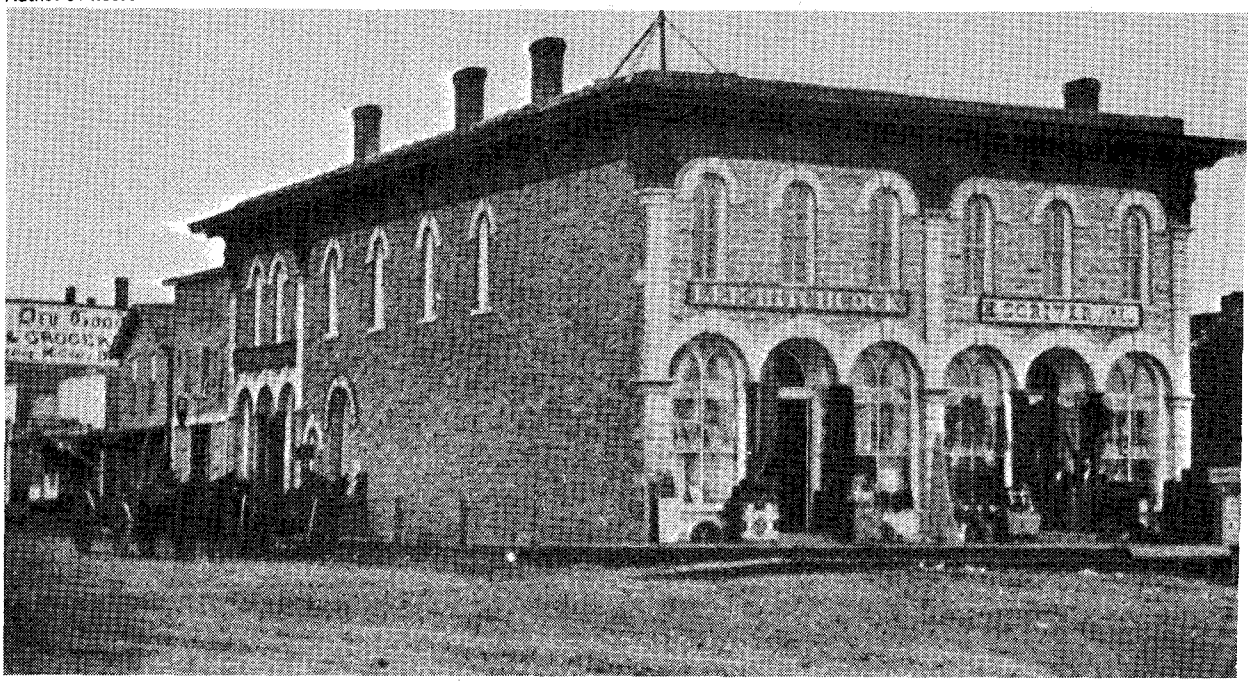
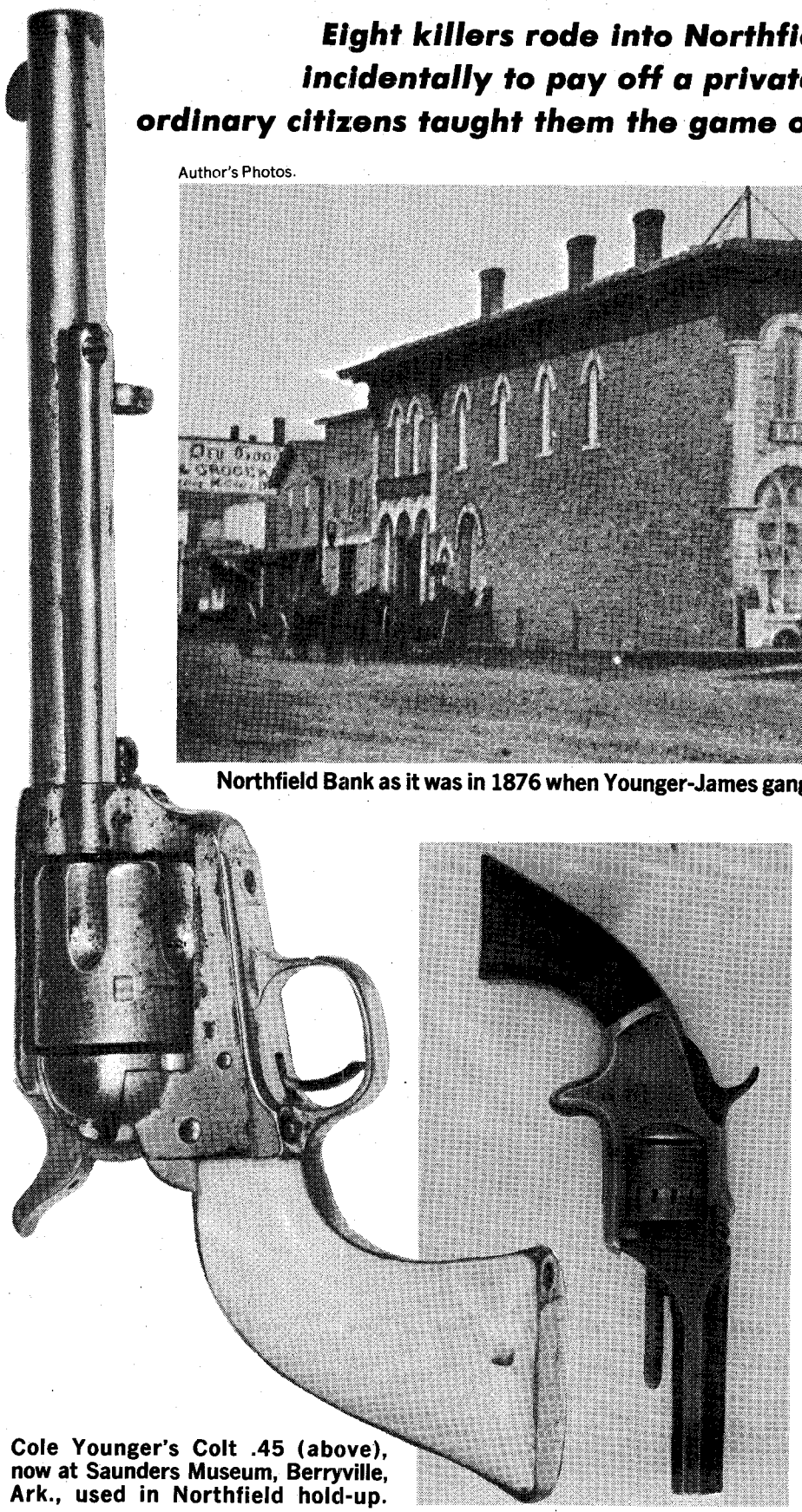
THE NORTHFIELD RAID

Eight killers rode into Northfield to heist the bank and incidentally to pay off a private grudge, but a couple of ordinary citizens taught them the game of shoot-out the hard way

Author's Photos.



Northfield Bank as it was in 1876 when Younger-James gang rode 8-strong into town for the hold-up.



Cole Younger's Colt .45 (above), now at Saunders Museum, Berryville, Ark., used in Northfield hold-up.

Jesse James toted this .22 calibre, 7-shot hide-out gun at Northfield.

by Carl W. Breihan

No doubt the attempted robbery which did more than anything else to cripple the James boys' entourage and make effective recruitment for their band increasingly difficult was the raid on the Northfield, Minnesota bank on September 7, 1876. Several of the outlaw band were against a raid so far from their Missouri haunts, but Jesse James bulldozed others in the band to side with him on the idea. Cole Younger especially warned of such an attempt, reminding the men that Minnesota was an entirely alien grounds of operation; that if something happened to their Minnesota comrade who knew the trails, they would be putting themselves out on a limb. A deciding factor in their decision to rob this particular bank was because Benjamin Butler, who had been the Union military commander in the State of Mississippi

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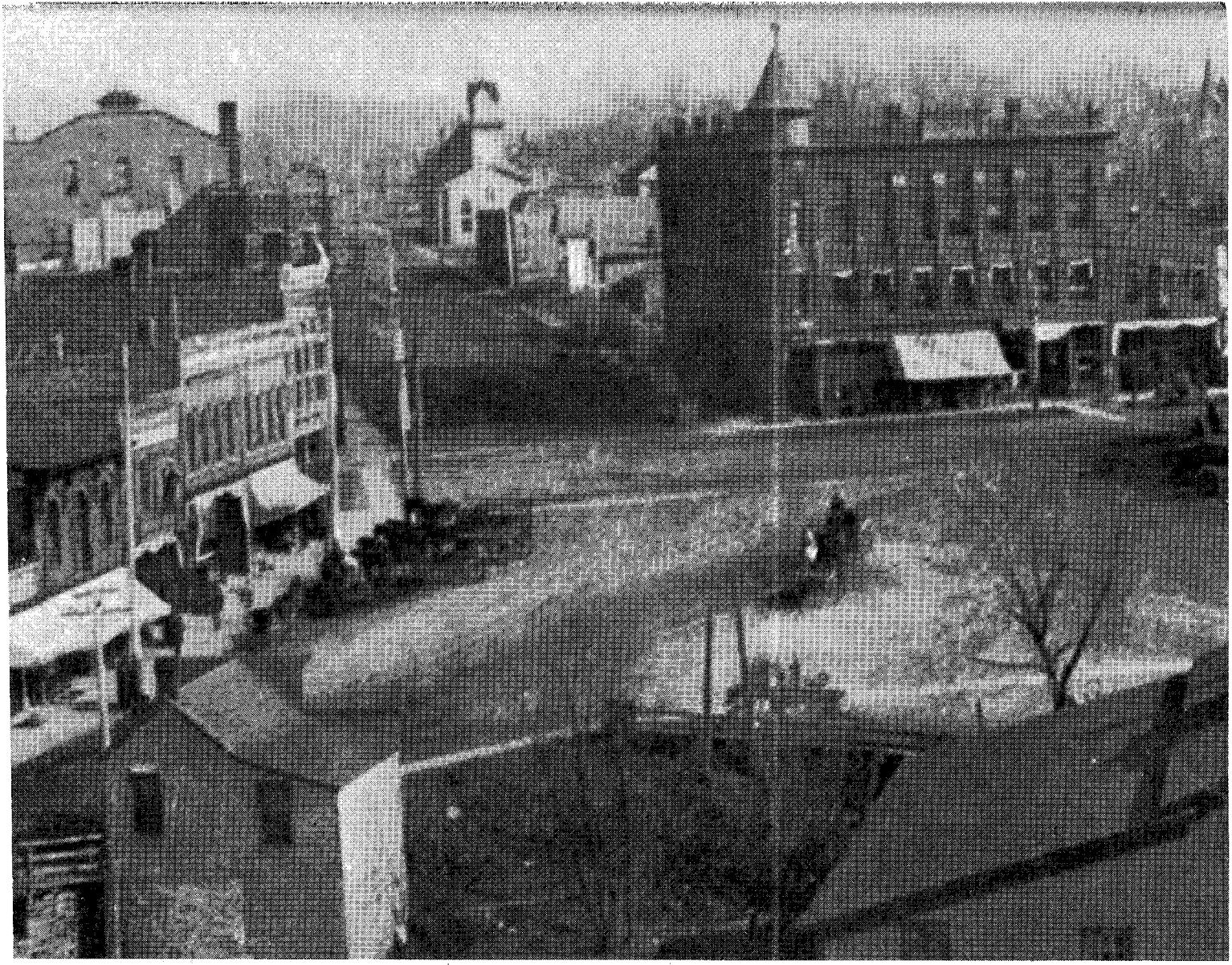

Peaceful Bridge Square became bloody locale of lethal shoot-out between townsmen and gunslingers.

after the Civil War, was a big stockholder in this bank, and most of the men recalled his brutal treatment of their fellow Confederates.

Apparently the plan of the outlaws was to attack the bank at Mankato, Minnesota as well, but the presence of a large group of citizens standing near the bank building discouraged them from undertaking that part of their mission. They believed that in some manner the alarm had been given, but actually those people were a group of "sidewalk superintendants" who were watching construction work progressing on a building next to the bank.

The stage was set and the drama of Northfield was on a much larger scale than any of the other bank robberies in which Jesse and Frank James were said to have participated; the gang was thoroughly shot up, while several of its members were captured and placed behind prison walls.

A bridge in the center of Northfield connected the east and west parts of the town and led into Bridge Square on the east side. On the corner of Division Street and Bridge Square was a two-story building called the Scriver Block. The First National Bank stood at the south end of the block, near an alley which ran back of two hardware stores, operated by J.S. Allen and A.R. Manning, respectively.

Opposite the Scriver Block was a group of stores and a hotel, the Dampier House, where a town physician-to-be, H.M. Wheeler, was passing the time of day on his vacation from school when the robbery got under way.

Early on the morning of September 7, the robbers rode along in pairs so as to avoid exciting any suspicion, and they met in a wooded area near the town. Then, with their usual bravado, they boldly rode into town and had dinner at a restaurant on the west side of the bridge.

This also was a reconnaissance visit. All the men wore long linen dusters, the style of that time, so as to hide their heavy revolvers and ammunition. There were eight of them: Cole, Jim, and Bob Younger, Clell Miller, Bill Chadwell (alias William Stiles), Charlie Pitts (whose real name was Sam Wells), and Jesse and Frank James.

Their plan was for Bob Younger, Charlie Pitts and Frank James to wait in the Square until the second detachment arrived.

The timing was poor from the start. Bob Younger had tipped the bottle too long and was a bit fuzzy in his reactions. Frank James, too, had been drinking. Although he could handle his liquor better than Bob Younger, on this day Frank was inclined to be a bit trigger happy and belligerent. Bill Chadwell, who had once lived in Rice County, Minnesota, was elected to lead the bandits safely out of that state after the robbery.

Accordingly, their original plan was followed. The first group of three waited in the Square, posing as loafers; and when they saw the others ride into view they entered the bank. But the advance guards' entrance was not according to schedule, for they were supposed to wait until Cole and Clell Miller joined them to complete the inside party. When Cole and Miller hurried to the bank, in the wake of the trio already inside, Cole

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dismounted and pretended to tighten the saddle girth on his horse.

These actions aroused the suspicion of J.S. Allen, one of the hardware store proprietors. Allen started for the bank to see what was going on. Miller ordered him away from the building, and Allen left, but as he fled around the corner, he shouted, "Get your guns, boys! They're robbing the bank!"

Allen had no horse, but he got one quickly and did a fine Paul Revere job in Northfield. Young Wheeler, who was standing on the east side of Division Street, assisted in giving the alarm by yelling, "Robbery! Robbery!"

Just at that time Cole called to Wheeler to get inside. He also fired a shot into the air, the prearranged signal for the three outlaws at the bridge to know they had been discovered. They rode forward with such a roar of sound it was thought a detachment of soldiers was approaching on the gallop. At the same time a shot sounded inside the bank, and immediately there was a fusillade of shooting. Chadwell, Jim Younger, and one of the Jameses rode up, firing their revolvers and yelling to the people to stay inside the buildings. One Swedish immigrant named Nicholas Gustavson did not understand English. Bewildered, he stood where he was, and was shot down and died a few days later. (Afterwards a useless argument raged as to whether one of the robbers shot him, or whether he was a victim of a stray bullet from a citizen trying to repel the gang).

To the inhabitants of Northfield, the minute-man defense of the town against the group of bandits recalled vividly the Indian warfare years when they grimly took up their rifles and shotguns. One citizen, Elias Stacy, fired a shotgun blast at Clell Miller just as that bandit was mounting his horse. Birdshot peppered Miller's face, but he got away. Another townsman, A.R. Manning, shot at Charlie Pitts with a breech-loading rifle, but succeeded only in killing the bandit's horse.

Cole Younger was ready to call off the robbery. He yelled to his fellow-robbers in the bank to come out for a getaway. Cole's commands were interrupted by a blast from Mr. Manning's breech-loader which wounded Cole in the thigh. Manning backed away to reload and saw the outlaw Bill Chadwell waiting for his horse about eighty yards away. He took a shot at him, and Chadwell fell to the ground dead, a bullet through his heart.

After young Wheeler had roused the town he hastened to the drug store where he usually kept a gun. Remembering that he had left it at home, however, he raced through the store to get a weapon he had seen at the hotel. But when he found the weapon, he discovered that it was an empty army carbine. The owner of the hotel, Mr. Dampier, luckily located three cartridges in another room, and in quick order Wheeler was stationed at a second-story window of the hotel, just as the gun battle began to rage.

Jim Younger was riding by at that instant and Wheeler took a quick shot at him. His aim was too high, however, and the bullet missed the outlaw. In vain Jim looked around for the sharpshooter, who by then had picked another target, Clell Miller. The bullet passed through Miller's body, severing the great artery and killing him almost instantly. Wheeler's third cartridge had fallen to the floor, breaking the paper from which it was partly made, and rendering it useless. But Dampier arrived with a fresh supply of ammunition, and another shot by the young man hit Bob Younger in the right elbow as he ran from the bank. Bob quickly executed the "border shift" by throwing his revolver into his left hand, ready for instant use.

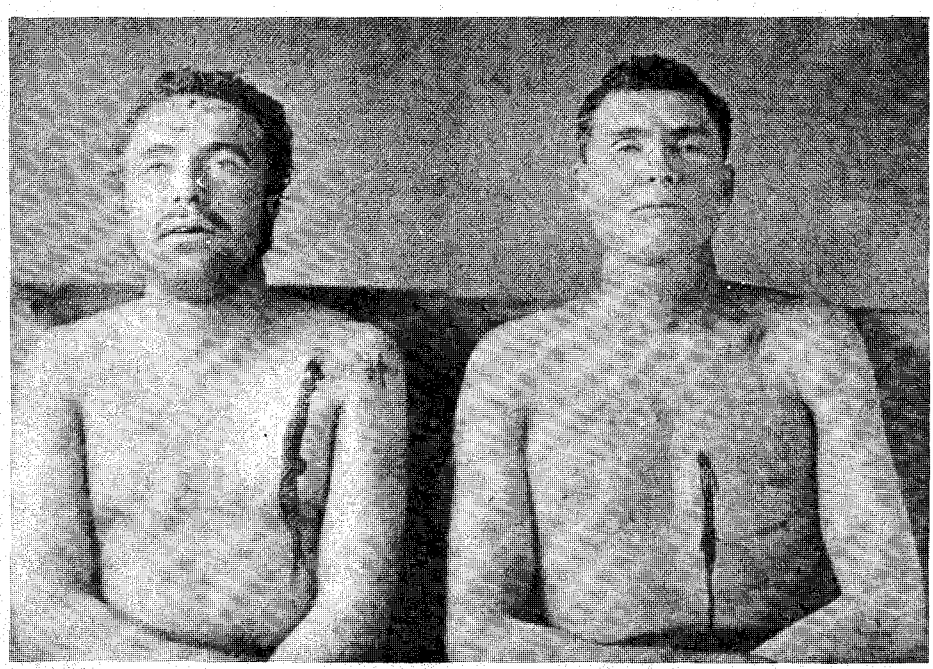
Their ensued a brief lull in the fighting, as each side waited for the other to show itself. The robbers took advantage of the lull, and Bob Younger raced up Division Street, where he mounted behind Cole. What was left of the band of outlaws fled the town.

The defenders rushed to the scene of the hold-up to find out what had happened inside the bank. They learned that the three robbers had entered and quickly placed under their guns the teller, A.E. Bunker, F.J. Wilcox, the assistant bookkeeper, and J.L. Heywood, the head bookkeeper who was acting as cashier at that particular time. Heywood told the bandits that the safe had a time-lock and could not be opened. An ironic twist was that the safe door was closed and the bolts thrown, but the combination dial had not been twirled. All the bandits would have had to do to open it was turn the handle!

Seeing a chance to escape, the teller, A.E. Bunker, dashed behind the vault and raced for an exit door. Pitts took several shots at him, the second shot entering his shoulder. While this was happening, Cole's order to abandon the holdup was heard, and the three bandits hurriedly left the bank. The last bandit out turned, and deliberately shot and killed Heywood for no reason except, perhaps, revenge.

The six outlaws galloped out of town on the Dundas Road, riding three abreast and forcing everybody they met off the road. The men of Northfield were in

Charles Pitts, dead gunman.



Clell Miller (L.) and Bill Chadwell, robbers killed at Northfield.

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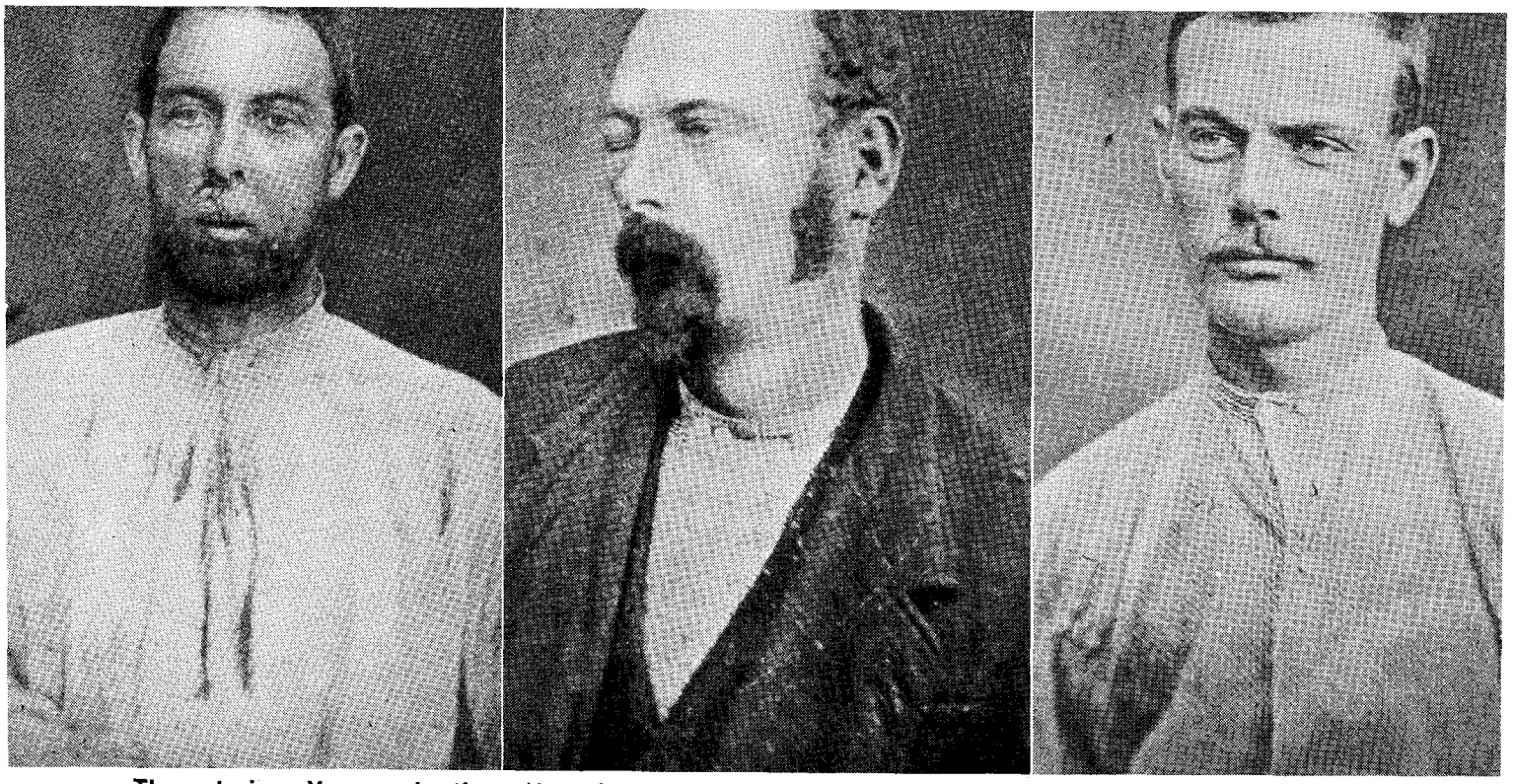

The notorious Younger brothers (from l. to r.), Jim, Cole and Bob, after they fell into police custody.

pursuit and the state capital was also asked to aid. Governor John S. Pillsbury of Minnesota offered $1,000 as reward for the capture of the surviving bandits. He later raised the money to $1,000 for each, dead or alive. The bank and various corporations also offered cash rewards.

Grief over Heywood's untimely death was widespread. Heywood was a man greatly liked and respected, and was a member of the board of Carleton College. He was buried in the Northfield Cemetery on Sunday, September 10, but two other bodies were buried there in the dead of night, the bodies of the dead bandits, with no mourners and no rites. At least, two rough pine boxes were buried there, but it was common belief that the two corpses were spirited away to a medical college to further anatomical science. The skeleton of one of them hung in the office closet of Wheeler, after he became a doctor in Northfield, for many years, until finally the building was destroyed in a fire. Several years after the raid, an indignant relative of "the skeleton" came to Northfield from Missouri and got into a heated discussion with Wheeler. But the kinsman left and the skeleton remained in the possession of the physician.

Without their guide who had been killed in the gun battle, the outlaws traveled only fifty miles in five days. Some few miles beyond Mankato they rested in a deserted farmhouse. The pursuit had been temporarily abandoned, but on receiving a tip that the desperadoes had been seen in the vicinity of Mankato, patrols and searching parties were soon on their trail, but again the fugitives escaped. Some of them crossed Blue Earth River, and two of them riding a single horse, passed near Lake Crystal.

The blood from Jim Younger's mouth wound was so profuse that a trail of blood was left behind them, easily followed by the posse. Several miles from Dundas, the bandits stopped to administer to Jim, but it only aggravated matters and the wound began to hemorrhage even more seriously than before.

J.L. Heywood, killed in raid.

Jim Younger became so weak from loss of blood that Cole and Bob were compelled to ride beside him to keep him from falling out of the saddle. Naturally this retarded their flight.

On the 13th of September, while the harrassed party was hobbling through swamps and mire, Jesse turned to Cole and remarked, "Cole, we are in a bad fix and there is only one way out as I see it. Our trail is as plain as day. What I propose is a horrible thought, but we have been through horrible experiences. Jim cannot live. We cannot successfully retreat carrying him along; we cannot hide; if he remains with us we shall all perish one way or another. I suggest that we dispose of him here and now, he cannot live anyway. With Jim gone we can travel faster and escape."

The rest of the group looked at each other. They seemed hardly able to believe their own ears. Here was Jesse James, their supposed leader whose life had been saved a number of times during the war by valiant efforts on the part of his guerrilla companions, now proposing to kill one of his own men so they could speed their flight.

"Damn you, Jesse James," hissed Cole. "You are a cold-hearted devil. If any or all of you have such an idea, go take your own paths, and I hope we never meet again. To kill my own brother! I'll stay with him and fight until the very

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end, and then carry him on my shoulders until I, myself, fall."

This incident has been vouched for by many who knew the facts of the Northfield escape, but were reluctant to speak. Frank James, of course, never entertained such an idea. He and Cole remained firm friends, but it was agreed that Frank should accompany his brother; and so the Youngers and Charlie Pitts parted company with the James brothers near Mankato.

On September 21, a farm boy named A.O. Sorbel dashed into the small town of Madelia with the news that he had been accosted by two of the robbers. He had been allowed to go free but had been threatened with death if he revealed their presence. In the news accounts the boy's name was listed as Oscar Oleson Suborn for fear that members of the band might seek revenge on him. Sorbel died July 11, 1930 in Webster, South Dakota, the secret of his heroic deed having been kept up to that time.

The brave lad was the cause of a new posse being quickly formed, and the robbers were surrounded in a swamp near Madelia.

They proved to be the three Youngers and Charlie Pitts. On hearing that the bandits were near town, Captain W.W. Murphy called for volunteers to go into the swamp and rout the hungry and hopeless men hiding there. The sheriff and five others responded.

There was a violent gun battle, but it was of short duration. Pitts was killed. Jim Younger received five wounds, the most dangerous being the one that shattered his jaw, the bullet lodging under his brain. Because of the pain, the prison surgeon, after three years, made the decision to remove the bullet by making an incision in the roof of his mouth and trying to pry loose the leaden pellet. His efforts were futile, but some days later, Jim Younger pleaded with a hospital interne, who made a careful investigation and finally dislodged the bullet from where it was embedded near the salivary gland and the muscles of the throat, working at it at intervals for two days. The interne kept the bullet many years as a memento of the occasion.

Cole Younger was also badly shot up in the fight in the swamp, receiving eleven wounds. Bob Younger, already shot in the right elbow, was also shot through the right lung. As they rode into town, the always gallant Cole, despite his wounds, managed to stand up in the wagon and bow to the ladies.

They were treated, under heavy guard, in the Flanders House in Madelia, Minnesota. The guard was partly to protect the frightfully wounded robbers from lynching; but the mob of citizens that milled around the hotel were merely curious, not threatening. When the bandits were recovered sufficiently to be moved, they were taken to the jail in Faribault, Minnesota, to await trial.

Four indictments were brought against them. Their attorney advised them to plead guilty, and thus escape capital punishment for the death of the bank teller and the innocent bystander, who had not understood the bandit's command in English.

All three of the Youngers pleaded guilty. Judge Lord sentenced them to life imprisonment in the state penitentiary at Stillwater. Many people believed that the three Youngers had "cheated the gallows" so to speak, and it was not long before that law was changed.

Bob Younger was slowly dying of consumption during his thirteen years in prison. But during that time he was a model prisoner, performing his work carefully and proving most docile under the care of the prison officials. He had won the good will of the warden, who stood beside him during his last minutes, as did his two brothers who had stood beside him in the heat of battle, plotted with him in silence against their fellowmen, shared hunger and privation, wealth and prosperity, their times of victory, and finally, bitter defeat.

They tried to cheer him with what words of comfort they could bring from their sorrowing hearts. The sister, Henrietta, was there to close his eyes after their last look upon a world which he had wronged so grievously.

A few minutes before 10:00 P.M. on September 16, 1889 Bob Younger passed away. A few days later Henrietta accompanied his remains to its last resting place in Missouri, at Lee's Summit. Bob Younger had returned to the state which had suffered most from his depredations.

In July of 1901, Cole and Jim were released from prison as a result of persistent lobbying by friends of the Younger family. Finally a law was passed whereby life-termers could be released after serving thirty-five years, less good behavior time, and at last Cole and Jim were back in circulation again.

On October 19, 1902, in the Reardon Hotel in St. Paul, Jim Younger committed suicide. The reason for his taking his life, relatives said, was that the parole board of the penitentiary had refused him permission to marry. Another reason given, however, was that a young woman who had visited him while in prison, and who had promised to marry him on his release, now refused to do so and, in a fit of frustration and despondency, he killed himself. Jim was also laid to rest near the grave of his brother Bob.

In February of 1903 Cole Younger returned to Lee's Summit, Missouri not knowing if he would be accepted or rejected by the citizens of the town and the surrounding country. But it was not long before it was evident that the people were glad to have Cole back, so he moved from his hotel room into the house of his niece, Miss Nora Hall, and her brother, Harry Younger Hall.

Cole Younger tried his hand at many things, from selling the then new coal-oil burner to promoting an electric trolley line from Kansas City to Lee's Summit. But his was a peculiar situation to say the least. People loved to listen to his sales talk because he was the famous or infamous Cole Younger, but seldom bought any of his wares.

Then out of the clear blue sky Cole Younger received an offer from a Chicago brewer who wanted to form a Wild West Show in competition with Buffalo Bill and Pawnee Bill who were doing well with their shows. They were going to call it the "Frank James-Cole Younger Wild West Show." This was well and good for Frank, who had been acquitted by a jury in 1883, but not so for Cole. One of the stipulations of his Minnesota Parole was that he would not exhibit himself for money. So it was arranged that Cole should be the ringmaster for the show, with Frank James doing the fancy pistol shooting and the other things that were expected of a retired outlaw and bank robber.

Finally, with the passing of time and going from one carnival to another, things began to get the better of the old bandit. He was not much for recreation but liked to attend the picnics given once a year by the remaining members of Quantrill's guerrillas. They would meet at some park and talk over old times, but never would admit openly that Quantrill had been a scoundrel through and through.

During his last years Cole took up lecturing. He traveled many of the Western states, giving talks about his experiences as a Civil War guerrilla with Quantrill; never failing to end his talk with a strong statement about crime does not pay.

On March 21, 1916, the old guerrilla and outlaw passed away, and was buried in the Younger cemetery plot at Lee's Summit. His old standby, Frank James, had gone across the Great Divide just a year before in February of 1915.

Many persons have expressed a keen desire to see the Younger home at Lee's Summit, or the barn where the guerillas hid near St. Joseph, but these buildings have been razed to permit the erection of new structures.

Were Jesse and Frank James at Northfield? At Lake Crystal, the two men mounted on one horse were believed to have been the Jameses. A picket fired at them and caused the horse to bolt, and the riders were thrown to the ground. They escaped in the darkness, however, and stole a pair of horses and got away. They took a course due west, crossed into the Dakotas, where they got medical aid from Dr. Sidney Mosher, Sr., a Sioux City, Iowa, physician. He dressed the wound in Frank's leg, and a superficial flesh wound which Jesse had suffered in Northfield. After this they took the doctor's horses and also his clothes and made their way into Kentucky, and on to Texas and Mexico.

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Another highly controversial aftermath was: Which of the outlaws killed the bookkeeper in the bank? Was it Jesse James, bitterly frustrated and temporarily bereft of any calm judgment? Some said it was Pitts; others said Jesse James. This accusation against Jesse, however, was not voiced until after his death, and then the blame might have been placed against him to protect his brother Frank, who was at that time in custody of the law and being tried on a number of charges.

Cole Younger, who had quarrelled with Jesse James after the Northfield fiasco, implied to officers later that Jesse had held the pistol against Heywood's head. However, in 1916, Cole Younger made a deathbed statement to Jesse Edwards James, Jesse's son, and to Harry Hoffman, a close friend, that Jesse had nothing to do with the murder at Northfield. Cole would not identify the real killer, but he rather cryptically said that the man who had perpetrated that crime was "the one who rode the dun-colored horse."

This statement from the dying Cole Younger started some research, and with good results. It was learned by this author that Patterson Stewart, of Kansas City, who owned some fine horses, had an employe who kept a dun horse in the Stewart barn. This horse was a fine animal, and was stolen from the barn. The dun-colored horse had a reputation for being a splendid long-range saddle animal. On August 18, Pitt's brother-in-law, Charles Turner, rowed the outlaw party bound for Minnesota, across the Missouri River near Parkville, and he stated it was Frank James who rode the dun horse.

During the post-Northfield trial of the Youngers, the prosecuting attorney's question was, "who rode the dun horse?" And during parole board hearings in after years, this same question was repeated again and again. No one has ever been positively placed in the saddle of the dun horse, but the outlaw who was temporarily using the name of "Howard."

Jesse James also used the name "David Howard," as is shown in the reports from Walter Kelly, whose boyhood years were spent in Ray County, Missouri, and who had known a tall man down in Kentucky who used that name. It is not odd that Jesse should use the name "David," since his family always called him "Dave." Kelly said the Howard he knew was a "blinker"—meaning he was always batting his eyelids—and did so several times a minute when he was awake. Jesse had this habit, due to a granulated eyelid condition which he suffered when a young boy. Also, Kelly stated that this "tall Mr. Howard" was never without his black kid gloves. His constant wearing of the gloves was principally to hide a missing fingertip on his left hand. Kelly told how Howard was nearly always laughing, and that he never forgot a funny story. These characteristics fit those of Jesse James identically.

However, on the day of the Northfield holdup, Jesse definitely used the name "Woods," and not "Howard." It was Frank who used the alias "Howard" on this day.

But the truth about which of the James brothers suggested the killing of the terribly wounded Younger in order to have a better chance for a safe getaway, is another story.

Information gathered long after the event proves that it was Jesse who expressed a desire to be rid of the wounded outlaw. Here is almost a verbatim statement made by Cole Younger in reply to some questions asked him by one of his close relatives, with the strict promise that anything he said would not be revealed while either he or Frank James was alive.

Question: "Cole, were the James boys with you at the Northfield raid?"

Answer: "Yes, they were. They were using the names of Howard and Woods."

Question: "Why then did you say they were not and that Howard and Woods were the real names of two of the men?"

Answer: "Simply to protect Frank James. If it had been thought for a minute that Jesse didn't do the killing of the cashier, Heywood, that 'Yankee' Bligh and several detectives from St. Louis would have swooped down on Frank and he would have been tried for that killing, But as long as everyone believed Jesse did it, and as Jesse was dead, it was left to rest that way."

Question: "Who, then, did kill Heywood?"

Answer: "It was Frank James, and it was he who rode the dun horse at Northfield. It was stolen from a man named Stewart or something like that, in Kansas City, I believe. This horse was known to be a sprinter, and we always got the best and fastest horseflesh we could. It saved our lives many a time."

Question: "Is it true that Jesse wanted to kill your wounded brother in order to make escape a sure thing?"

Answer: "Yes; and I believe he would have carried it out had he been permitted to do so. Frank would never have thought of such a callous thing. Frank and I were very close, but not so with Jesse and me. He and I got along, but it went no further than that. Both of us were good inside men, and as the gang was placed in different categories, we all managed to get along together."

Question: "What do you mean by 'inside men'?"

Answer: "The inside men were picked to handle the bank robberies from inside the buildings, and took care of that part of it. Others were called street men, those who lingered outside the buildings to protect the men inside. Jim and Bob Younger were good men at that, as was Clell Miller. Frank James and I took turns doing this. Such fellows as Tucker Bassham and Hobbs Kerry were used only to hold the horses or to frighten citizens away from the locality of the robbery. They never were trusted with any important positions."

Question: "Was Jesse James killed at St. Joe as claimed?"

Answer: "He certainly was. We Youngers were shown photographs of the dead man, and we knew it was Jesse, but we couldn't speak out at the time, as it would have linked us with him and probably would have destroyed our excellent prison record. But one of my sisters—I'll not mention her name—secretly went to St. Joseph and viewed the body to make sure, and she relayed the word to us that it was Jesse. (This turned out to be Henrietta, or Rhetta Younger.) Although we had no doubt of it; we knew the sands in the hourglass of time just ran out on him."

Question: "Cole, don't you think that a large number of robberies laid at your door were committed by someone else?"

Answer: "There's no question of that. We were accused of several holdups after we were in prison." (At this point Cole waved his hand.) "That is all I have to say. Maybe I've already talked too much."

As far as all available records can be checked, this conversation with one of his trusted kinsmen is about the most Cole ever related to anyone in regard to his outlaw career, except for a talk with an old-timer of the St. Louis Police Department, Captain Elias Hoagland.

This officer told this author of his visit in Springfield, Illinois, to see the famous Cole Younger-Frank James Wild West Show, which was several years after Cole's release from prison, and at which time Hoagland was a young officer on the force. Captain Hoagland learned that Cole had been arrested on a drunk charge and was about to be lodged in the city jail. The young officer realized this would ruin Cole, and although he did not know him at the time, Hoagland talked with Springfield police officers and succeeded in persuading them to let Cole Younger go. Promising to see that he was cared for that night, he took Cole to his hotel room and put him to bed.

Some days after this incident, Cole contacted the officer and gave him one of his revolvers as a keepsake. Cole confided in his new-found friend things he had never told anyone else. The Northfield question was still in the minds of numerous people, and for that reason Hoagland asked Cole Younger about Northfield. For the sake of the records it is lucky that he did so, for it substantiates what the Younger relatives had to say about it. It also proves conclusively that Frank and Jesse James were there when the ill-starred attempt was made to rob the bank, and that it was Frank James who killed the cashier.

Other biographers of the James and

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Cole Younger warned against the Northfield robbery citing the fact that Minnesota was an alien area for their operations. But Younger was overruled, mostly by Jesse James, who convinced the gang to go along with him.

Youngers have traced their trail from Northfield as far as the capture of Dr. Sidney Mosher, and then supposed the fleeing robbers made their way back to Missouri via the Dakotas or another route. In a personal statement to Cole Younger, of which I have a full record, Frank replied to the question by Cole—"What happened to you and Jesse after we parted at Mankato?"—with this answer: "Not much to speak of. Jesse and I were both pretty well beaten, so we laid up in the Dakota Territory for several days after some doctor gave us treatment. After that we went to Wood Hite's home. His father was my uncle, down in Adair County, Kentucky, and we hid out there for a spell."

However, Dr. Sidney Mosher rushed into Sioux City with an exciting story of having been accosted by two grim-looking men and forced to give them medical treatment near Kingsley. He said they took his clothes for themselves and also took his horses. This happened on the 17th of September, and the next day the doctor told his story to the editor of the Sioux City *Democrat.*

The editor's sympathies were with the hunted men and he took advantage of his close friendship with the officers to learn of their plans for the pursuit of the bandits. Then the editor thwarted the plan of one ambitious citizen to patrol the Missouri River in small boats, as it was thought the Jameses would resort to water travel in their attempted escape from that region. The editor's next move was to overtake the posse of the sheriff and deputies, which was making good progress on the right trail, and to use a little strategy in turning the posse off in another direction. Later, near the town of Woodbury, the editor and his friend met Jesse and Frank James riding leisurely toward them.

Mr. G.W. Hunt, the editor, explained his scheme to the outlaws. In return for his help the James boys were to reveal unknown facts to him concerning their lives and escapades. Frank and Jesse at first thought it was just a joke and got a big laugh out of it. But since they did not know the topography of the land through which they were making their hazardous way, they accepted the editor's offer of assistance.

The editor and the man with him were well-known throughout that part of the state, and for this reason, the two bandits who were riding with them excited no suspicion whatever. One of the outlaws rode in the editor's wagon with his horse tied behind; while the other outlaw rode his horse alongside the wagon. In due time the strange party reached the confluence of the Missouri and Little Sioux Rivers, where it was decided the James brothers should take a skiff down the Missouri. Near a small cabin they found a skiff which the editor helped them steal, and the Jameses made a safe trip to St. Joseph, Missouri, which city was reached after a trip which lasted eight days. The editor later stated that the greatest thrill of his entire life was to sleep one night lying between Frank and Jesse James.

To law-abiding people such a rash act on the part of a respected citizen seems very queer, to say the least. In Missouri, however, such actions were understood because there was a great deal of sympathy for the Jameses. But in Iowa and Minnesota, such conduct was indeed a rarity.

The aftermath—if there was an aftermath to the over-zealous admiration of the Jameses on the part of the Iowa editor—was never brought to light. Perhaps his role in connection with the fleeing outlaws was never determined until a few years ago when this author located these records. But his amazing experience was published in his own paper as an exclusive story, with no by-line, naturally. His readers were left guessing who the anonymous contributor was. It can well be imagined how astonished and enraged Sheriff McDonald was on reading that account, as he was a good lawman, and one who was accustomed to getting his man. ●

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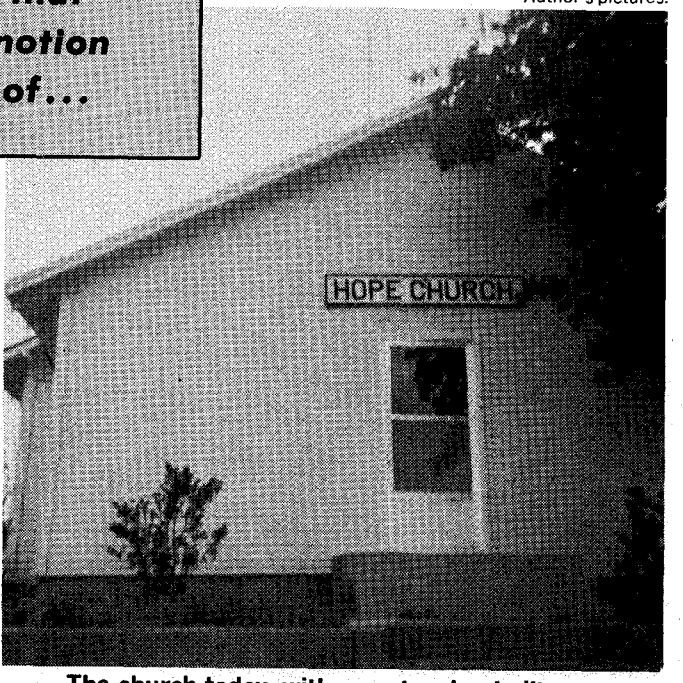
It was all because of those pretty, big-eyed girls sitting back of them that the boys tried to get across the notion that they had plenty to repent of...

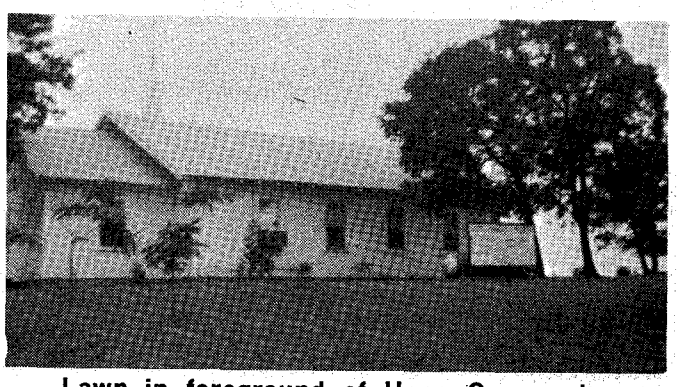
REVIVAL MEETING CUT-UPS

by G.W. Daugherty

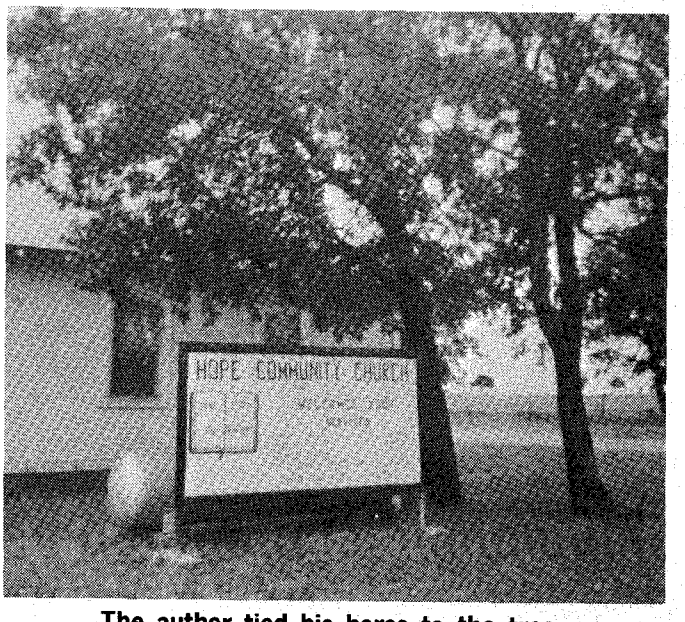
Author's pictures.



The church today, with an extension built on.



Lawn in foreground of Hope Community Church where horses and wagons once parked.



The author tied his horse to the tree which is slightly obscured by the sign.

THE PRINCIPAL town in Stephens County, Oklahoma is Duncan. North and east of Duncan, about three-quarters of a day wagon-ride, is the community of Hope. In the late 1800's and early 1900's, Hope, I suppose, was an average community for that particular section of Oklahoma. (Part of the time it was Indian Territory.)

The days were long and the work hard, and the richest person in the entire community could have well qualified for a welfare check or a poverty program by today's standards. We were poor but proud.

The nearest we ever came to a crime was stealing a watermelon from the neighbor's patch and the closest thing we had for entertainment or real action was a dog fight or a horse race. In a setting such as this, I cannot understand how we could have been so wicked. We must have been a very bad lot for we were so wicked we had to have revival meetings twice a year.

Most communities can get by on one revival per year but we had one in the spring and another in the fall. My father claimed we had to have the two large collections to keep the preacher from starving to death. Regardless of the reason for so many revivals, it was at one of these camp meetings that my father converted me to a Christian.

As the evening hour drew near, wagons, buggies, horse-back riders and those who lived close enough to walk, all converged on the small church in our town of Hope.

Thinking of myself as a gay young blade, I had dressed in my finest clothes and had arrived early so as to visit with the other young people before the preaching started.

I had tied my horse to a large oak tree so I could keep an eye on him, for he was only green broke and I expected a little trouble.

Singing had started as six of us came dragging in late. We had waited until all the older folks had gone inside before we took a long pull on the old crock jug, just to get in the right frame of mind for the sermon.

The only vacant pews were very near the front, so we dutifully filed into the second-row pew. Immediately behind us were six of the fairest young damsels of the community. Each of us cut our eyes, stuck out our *(Continued on page 54)*

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Pioneers were shocked at the brutality of the Indians in their battles against white men, but when Indian fought Indian the savagery reached greater heights

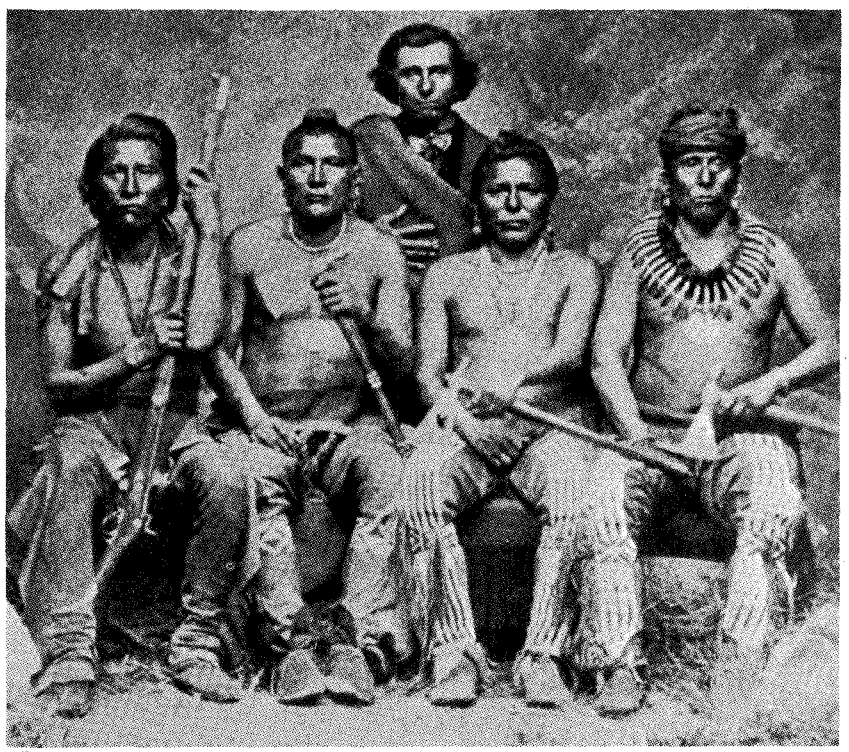
by Major James Enright

TODAY THEY call it "Massacre Canyon." As canyons go, this one isn't very impressive. There are no tall rock cliffs for walls and no mysterious entrances. It is in the rolling hill country of southwestern Nebraska, in what is now Hitchcock County. There are two ridge-topped hills, not too high, about half a mile apart, and the area between these hills could better be called a deep gully.

Ninety years ago this so-called canyon had a different name. It was called "Lake of the Pawnee Blood." There was no water there and certainly no lake, but on August 4th, 1873, the floor of this gully was thick with the blood of hundreds of ghastly mutilated bodies of Pawnee men, women and children. The north end of the canyon was jammed with the bodies of dead horses and men.

The bodies of the dead Indians were not the result of a battle with the U.S. Army. The dead were the losers of the last big, brutal battle between the Sioux and the Pawnee, with the Sioux the victors. Although the U.S. Army had nothing to do with this battle, it is ironical that it was a white man who led the Pawnee into that death trap. While the Pawnee women and children were slaughtered and bodies mutilated by the Sioux, a 3rd Calvary troop from Fort McPherson, scouting along the Republic River, were bystanders to the slaughter, refusing to go to the aid of the Pawnee, who had been the great and true friend of the white man.

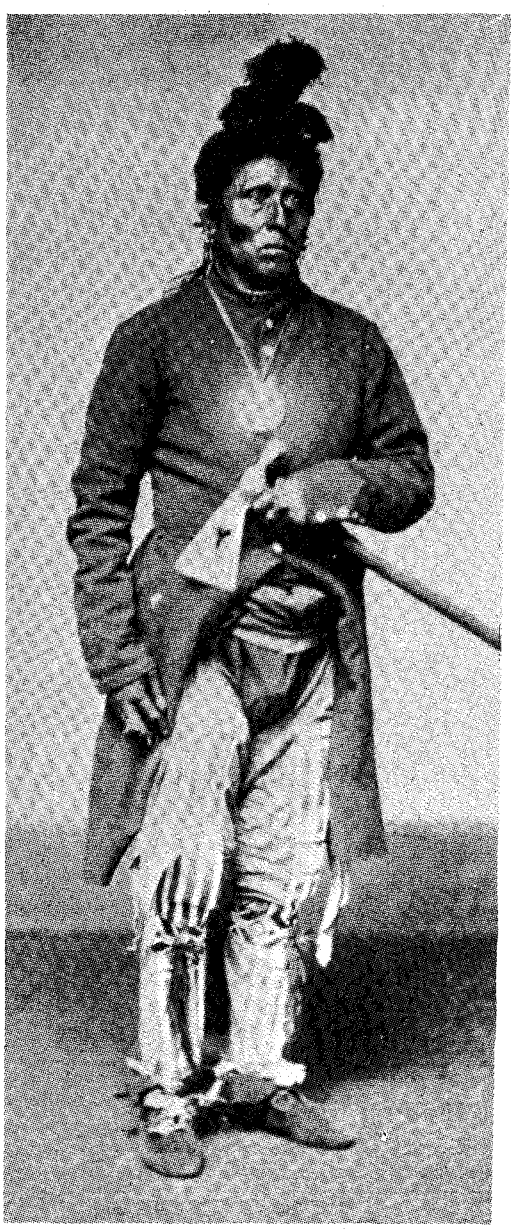
The cause of the battle went back centuries. The Pawnee were essentially a pastoral people, cultivators of the soil.



Four Pawnees killed in battle of Massacre Canyon. Interpreter stands in rear.

Sky Chief, head of the Pawnees at Massacre Canyon, was killed.

Bureau of American Ethnology Photos



LAKE OF THE PAWNEE BLOOD

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They had lived in Nebraska for untold years. The Sioux were wanderers, hunters rather than cultivators. Ages earlier, they had swept over the Pawnee land, driving them and other village tribes before them in their endless search for hunting grounds. For hundreds of years, the Pawnee and Sioux had engaged in fierce tribal wars for land rights. Then the white men came.

In 1857, the Pawnee, traditionally friendly to the whites, signed the Treaty of Table Rock, ceding all the lands north of the Platte River to the whites, keeping only a tract along the Loup in central Nebraska where their reservation was established. The Sioux, after 40 years of plundering and raiding emigrant trains and settlers, were placed on the Red Cloud and Spotted Tail Agencies in northwest Nebraska. By government treaty, the Pawnee and Sioux were to continue to hunt for migratory herds of buffalo in neighboring, but restricted, areas.

The bitter hatred between the Sioux and the Pawnee was held in check by the U.S. Army. The Pawnee, being friends of the white men, believed they could count on their protection, but the U.S. Army was made up of many units and some units didn't feel like offering protection to any Indian, no matter what tribe.

The year before the massacre, Sky Chief and his people, accompanied by 1200 ponies and almost as many dogs, left the Pawnee village on the Loup and started for the semi-annual hunt to replenish their meat supply.

They were working their way toward the hunting ground, when they were momentarily interrupted by reports from scouts, riding hard back to the column, that a band of Sioux had been sighted ahead.

Warriors stripped themselves naked, as wounds through clothing were harder to heal than those made directly into the flesh. They put on fresh war paint, grabbed their spears, bows and arrows, and mounted their fastest horses. They sped to the place where the Sioux had been seen, and were disappointed to find no trace of the ancient enemy, who had fled the superior force.

That had only delayed the great hunt. A day or so later, they topped a rise, and saw the plains below filled with thousands of hump-back beasts that provided their meat and clothing. The warriors rode into them, attacking with bow and arrow, the only weapons the Pawnee used against the buffalo. It was dangerous work and required skill, but they were accomplished buffalo fighters. The buffalo slaughter continued until the plain was dotted with bloody bodies. The large number of beasts that escaped were left to stock the prairies for the future, another year, another hunt. Unlike the white hunters, the Indians only killed what they needed.

The squaws and children followed the hunters and started with the smelly, dirty work of skinning and cutting up the buffalo meat. There would be, of course, a great feast to celebrate the successful hunt. Everything was used, bones, hides, everything. They originated the Chicago meat packer's slogan of using everything except the pig's squeal. It had been a grand hunt, and had provided meat enough to feed the tribe through the cold and blizzards of Nebraska's bleak winter.

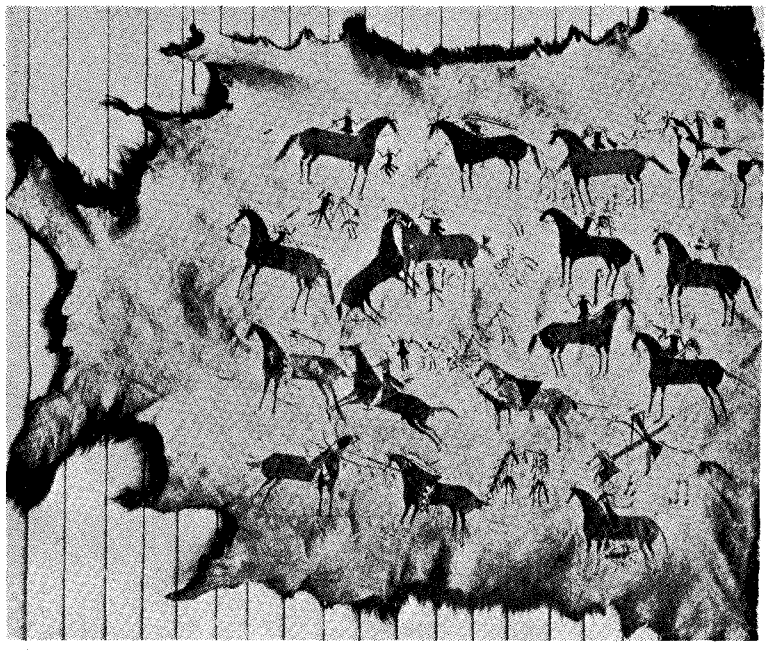
IN 1873, before Sky Chief set off on the next hunt, he had to clear the expedition with the Indian agent, William Burgess. Because the Indian Service had been so scandal-ridden, the government, under President Grant, had turned the Indian Department over to the Quakers in 1869. Much headway was made in cleaning out the corruption that had riddled the Indian Service. But while much of the shameless exploitation of the Indians had been stopped, there was another side to the balance sheet. The inexperience of these honest men caused some mistakes. Their judgment was faulty in Indian matters, because they had just been sent out from the East.

Burgess was a true Quaker, a gentle man. "Love your enemies," this kind and gentle man preached to the Pawnee. "Do not war against the Sioux, and the Sioux will not war against you." The Great White Father, he told them, would not allow the Sioux warriors to molest them.

Burgess had assigned John Williamson as trail agent. Williamson was to assure the settlers en route that they had nothing to fear from the friendly Pawnee on their hunt for buffalo.

But unknown to Williamson, at the same time Burgess gave permission for the Pawnee to hunt buffalo, other Quaker agents at the Red Cloud and Spotted Tail Agencies gave the Sioux permission to hunt buffalo in the same territory. The Sioux hunt was made up of more than 1,000 warriors, in addition to the squaws, children and oldsters. They were Ogallala and Brule Sioux.

The country south of the Republican was said to be practically rolling in buffalo, and Sky Chief and his men looked forward to a hunt like the one the year before. So when they crossed the valley from the Beaver to the Republican and met some white hunters who warned them that there were Sioux hunting just beyond, they thought the white hunters were trying to talk them out of their hunt to save the buffalo for themselves. Unfortunately, Williamson



A Pawnee blanket commemorating a victory over the Sioux.

also had the impression the white hunters were lying.

Sky Chief and the Pawnees had absolute faith in Williamson, the white man, who with the best intentions assured them that the Sioux would not engage them in battle and they had nothing to fear. The actions of the Sioux were far different. Their trail agent was Nick Janis, a Quaker who had let the Sioux "con" him into believing they had given up bloodshed.

Sioux scouts reported the appearance of the Pawnee hunting party, which was practically the whole tribe. The Sioux scouts kept out of sight as they watched the unsuspecting Pawnee march into the death trap between the two ridge-topped hills. They sent emissaries to Captain Hal Houk in command of the troop of cavalry from Fort McPherson. Those emissaries were assured by the captain he didn't give a damn how many Indians the different tribes killed off.

Nick Janis protested the actions of the Sioux, but he was so gullible, and so certain in his belief the Sioux had repented and would never attack the Pawnee, that the Sioux had little trouble keeping him quiet *(Continued on page 49)*

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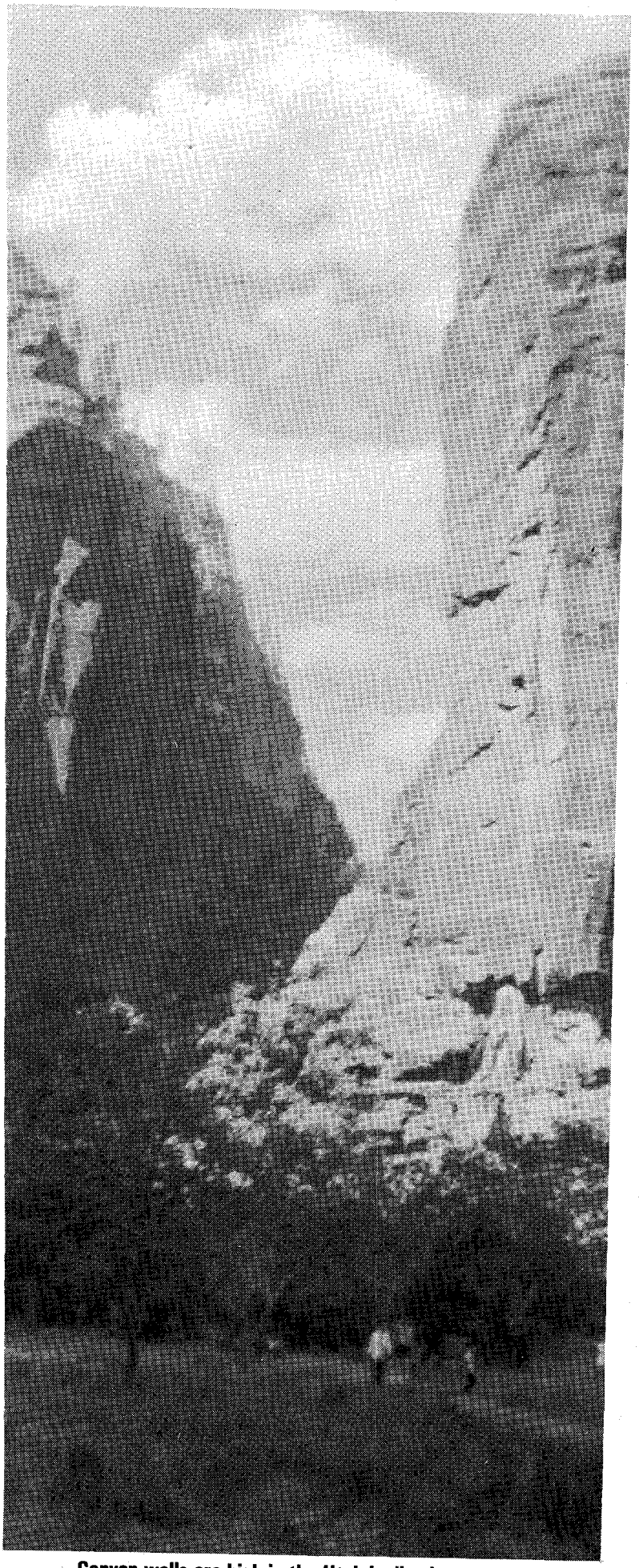

Canyon walls are high in the Utah badlands.

"I MET

The fast-growing lion cub loved mother because she fed him, and when she got sick he lay on her bed snarling and wouldn't let the doctor come near her

by Velma Dorrity Cloward

Kanosh, a small town in central-western Utah, was settled in the late 1860's, and my grand-parents were among the first settlers. They built their home on the stream of water at the mouth of a beautiful canyon bordered on the east and south by the high Rockies and west and north by the rolling desert.

The first winter Grandfather Hunter and many others built dugouts—dirt cellars—logged above ground with birch poles from the canyon or the white poles of the quaking aspin. These trees were plentiful at that time.

The roofs were laid over with poles and twigs which were covered over with about a foot of clay. The slab door was swang on leather hinges and fastened with a bar and a latchstring of leather. This thong was left out in the day and taken in through the hole at night so the bar could not be lifted from its slot. This was a warm home and usually dry, but sometimes it leaked and mud puddles formed on the dirt floor.

Grandmother Hunter's first son was born in this dugout. It was spring and heavy rains came and the roof leaked and so an umbrella was propped over her bed to protect her and the baby from the mud.

It was here one night when she was alone and grandfather gone to take the grain to Fillmore to be ground into flour that an Indian pushed his hand through a small hole in the chinking and tried to lift the latch.

She struck his hand and he moved it but he saw the air transome above the door and shoved his head through it. Grandmother picked up a large brass kettle and slapped it over his head and it stuck and held him prisoner for several hours until grandfather arrived. He was turned over to his chief who punished him, as the Indians there were friendly with the whites.

Chief Kanosh was a kindly man and so the town then known as Corn Creek was later called Kanosh. The friendship of Chief Kanosh for the Mormon people in Corn Creek gave them a peace and security that some other villages did not have. The worse trouble that the Utes caused in Millard County was the Mountain Meadow Massacre.

This happened west of the town on the desert. These people in a wagon train headed for California had been causing the Mormon people a lot of trouble. The Mormons had suffered so much that they were afraid of anything that threatened their homes and lives.

When the trouble began the bishop had sent Grandfather Hunter on a horse to Salt Lake City to see what they should do. But before he could make the long trip and return a white man, John Lee from Fillmore, went with a bunch of Indians and overtook the train. He said later he thought only to scare the people but the Indians got out of hand. Every man, woman and

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BUTCH CASSIDY"

Old house in Kanosh, Utah, where the author's mother was born.

child was killed. John Lee was executed for the crime.

I remember as a child seeing the picture of the execution which his son Orson had. It showed Lee standing at the foot of his casket with his eyes blindfolded, facing a firing squad.

Orson was a small child when his father died, but he grew to be the biggest man I have ever known. Six foot, eleven inches and 280 lbs. I knew him well, as his mother, Martha, after Lee's death had become my great-grandmother, Dennis Dorrity's plural wife.

Because of the awful disgrace his father had brought on the communities, people shunned Orson. When I got to know him well he was getting old, a lonely, unmarried man who herded sheep most of his life. An outcast who had formed the habit of talking to himself, but a kindly old man. His feet were so large that he had to have his shoes special made, or go barefooted. When he died of pneumonia about 1913 they had to make his casket. None could be bought that would hold him.

In time Chief Kanosh married a girl that had been raised by the whites and became a member of the community bearing his name. When he died they buried him in Grandfather Dorrity's grave plot, in the little cemetery south of Kanosh. A few years ago the town of Kanosh put a large white monument there in his honor. A monument to a great Indian. Highway 91 through Utah skirts this cemetery. Tourists are welcome to stop and look at the resting place of a real Great American.

It was in the seventies that the awful epidemic struck. Many people buried their entire families with diphtheria. Great-granddad Dorrity had a huge ranch in the top of the Rockies, Three Creek Valley. When the sickness hit he took his family to the ranch to protect them from it, but it was too late. Within a week five of his children were struck with it. Then one morning three caskets were loaded into a wagon. A girl eighteen, a girl sixteen, and a boy twelve were dead and traveled down the long canyon to Kanosh to be *(Continued on page 61)*

Author's Photos

Lemuel and Maria Dorrity.

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POKER ALICE

THE WEST'S FIRST WOMAN GAMBLER

Author's photo

"Poker Alice" Tubbs would laugh at the women claiming the current "Woman's Lib" movement is finally emancipating their sex. Poker Alice was emancipated before the '70's—the 1870's!

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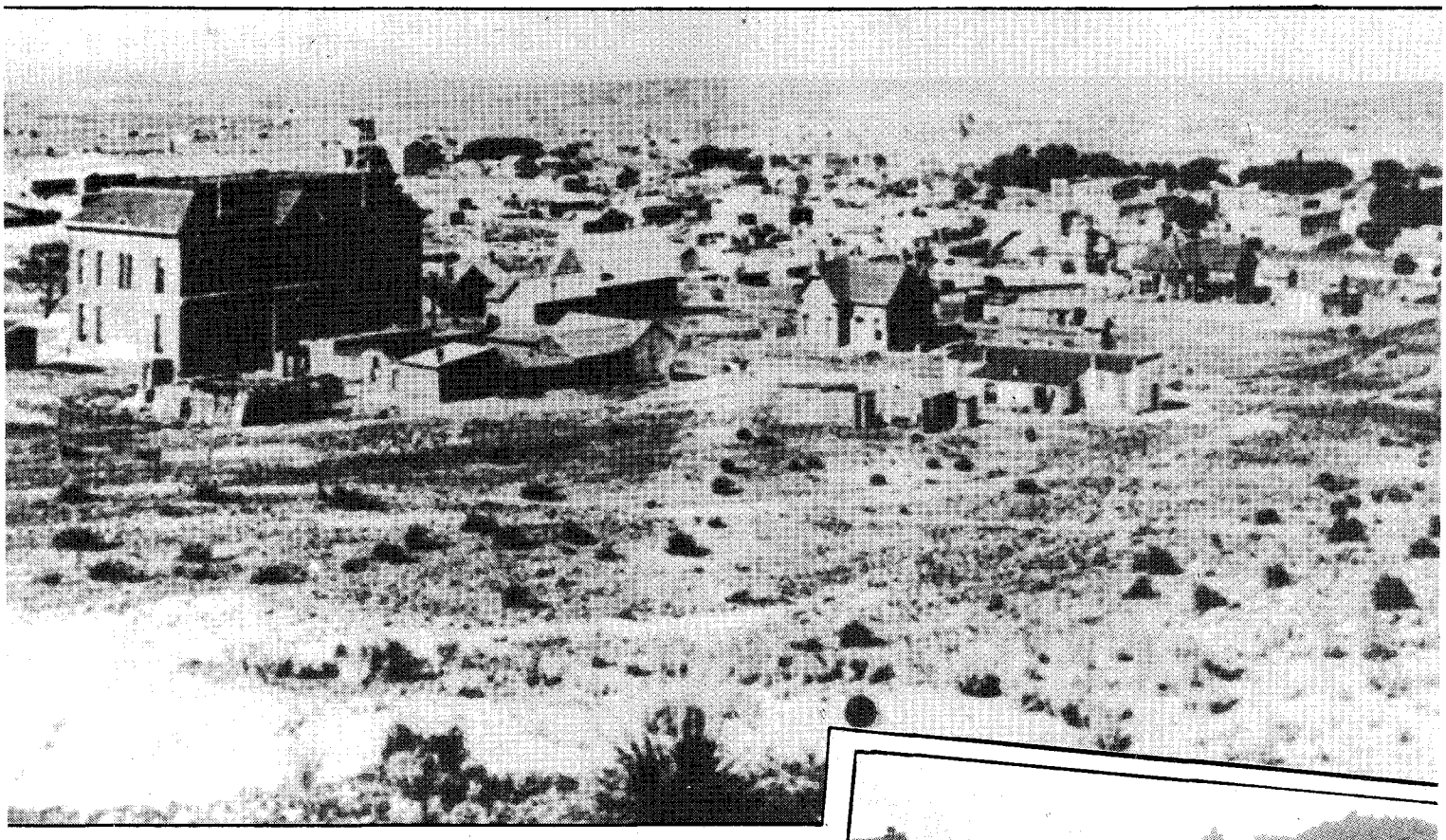
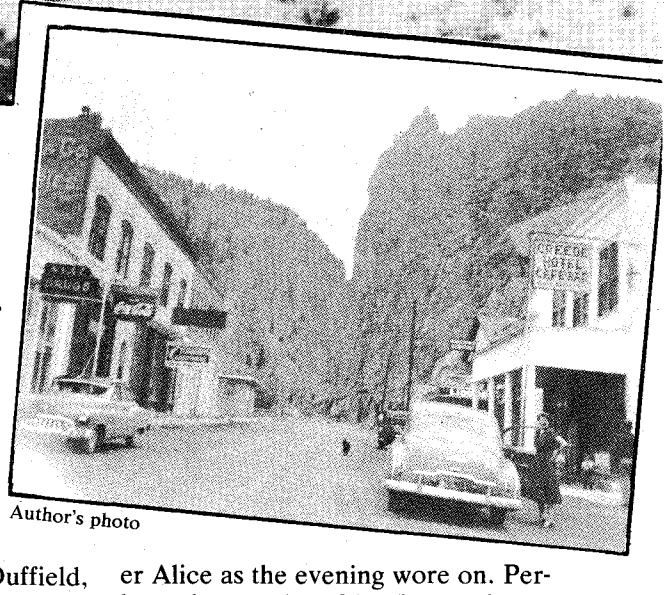
Courtesy of the Museum of New Mexico





Author's photo

Creede, Colorado, (above) was called "Jimtown" when Poker Alice, arriving in men's clothing, cut down trees to build her home and gambling establishment. Right: Silver City, New Mexico, 1872, where Alice broke the bank at the Gold Dust Gambling House.

By Carl W. Breihan

IT WAS UNBELIEVABLE, this rumor which was spreading around Silver City, New Mexico. Yet anything could happen in the old West, so the excitement-craved prospectors and white-faced gamblers rushed pell-mell to the Gold Dust Gambling House.

"Let's go!" cried one old sourdough as he hobbled along the dusty street toward the gambling house. "They say a woman broke the bank at the Gold Dust! This I gotta see."

This was something undreamed of in those days. A woman seldom visited the gambling houses, yet, they say this one broke the bank and would deal the game herself. No wonder these old fortune hunters and bug-eyed citizens made a rush to the Gold Dust. Even the dust devils whirled crazily in the breeze and they danced down the street, seemingly aware of all the excitement going on in this infant city.

The crowd of mixed humanity filled the gambling house and it was not disappointed in what it saw. Perched high on a stool was a stern-faced, determined woman, later to be dubbed "Poker Alice." At that particular time she was the widow of a mining engineer named Frank Duffield, who had been killed a few weeks before in a dynamite explosion. She was destined to become the first and most famous woman gambler of the old West.

This woman was a born chance-taker and not an emotion reflected on her face. Slow but thorough, she dealt the game without the aid of a helper or lookout, something no sensible faro dealer would do with such an important game.

It was no easy chore, this dealing of faro. One had to be keenly alert with his eyes on all things at all times. The cards were dealt one at a time from a small wooden or metal container. Many bets had to be watched, bets must be paid and money lost dragged in for the house.

Men struggled to get close to Poker Alice as the evening wore on. Perhaps the novelty of betting against a woman dealer enthralled them, perhaps they were taken in by her beauty. Poker Alice was a small woman, about 5-4 with soft brown hair piled high on her head. Steady grey eyes took in everything in a sweeping glance, and her firm, pointed chin wavered not a bit whether she lost or won.

All attention in the Gold Dust was centered around the table operated by Poker Alice. In later years men were to boast they had bet against the famous woman gambler, Poker Alice Tubbs. The men who pushed and shoved for the privilege of betting against her dropped a lot of money that night. By the time the witching hour came around Poker Alice had won more than six thousand dol-

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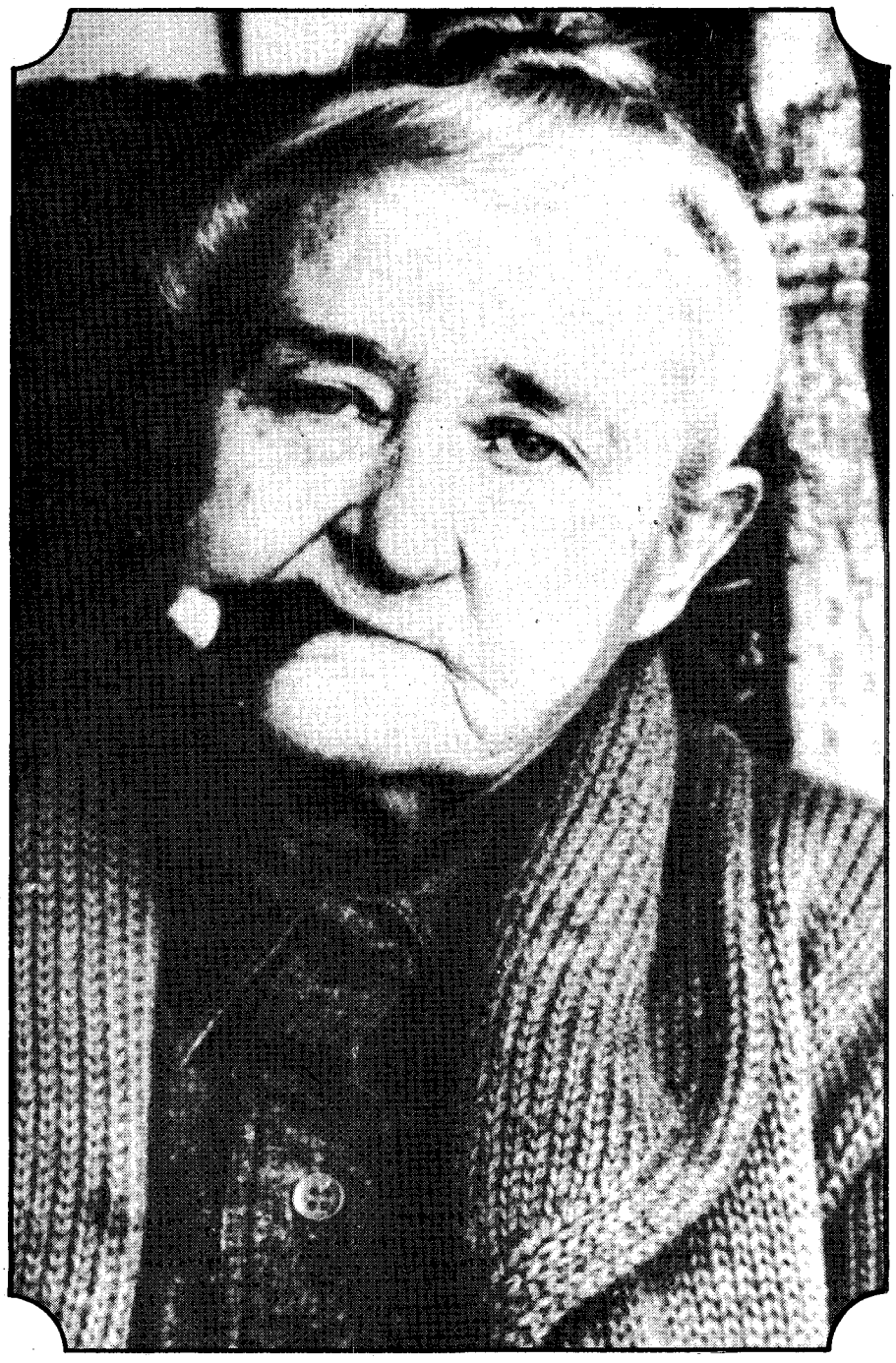

Poker Alice finally wound up in Deadwood, South Dakota, and mixed in state and county politics when the gamblers and miners moved on. Many claimed no candidate could get elected without her support. One of her trademarks were the smelly cigars she smoked until her death in 1930.

lars. In short order, the rumor spread throughout the West that a woman with eagle eyes and a steady hand had broken the bank at the Gold Dust and dealt faro like a man. That same evening the legend of Poker Alice was born.

Poker Alice was born Alice Ivers in Devonshire, England, February 17, 1853. She was brought to this country at age three by her parents and was later educated at a woman's college in the South. Her father, an English schoolmaster, taught her many things as well. However, at the age of 20 she married Frank Duffield and moved west with him. She was not yet 25 years old when she broke the bank at Silver City!

Gambling was nothing new to Alice. She had often visited the gambling casinos with her husband. There she learned the thrill of winning a bet on a turned card. It was only natural she would turn to this trade to earn a living after her husband had been killed.

Poker Alice was determined to live up to her reputation. After winning high stakes at the Gold Dust she took a trip to New York City. She told her friends that a gambler had a "prestige" to uphold and she must dress the part.

Alice made many trips to New York City via stagecoach, steamer, and train, there to spend most of her winnings on beautiful clothing and taking in the sights of the great metropolis. She never ceased to talk about the bright lights, courteous men, and extravagant stage shows of the city. Even in New York her fame went before her. Poker Alice was treated with respect and honor.

She traveled the West in style, always alighting from the stagecoach and announcing that she was the woman who had broken the bank of the Gold Dust Gambling House in Silver City. Such towns as Del Monte, Leadville, Georgetown, and Almosa catered to her whims. Men flocked to place bets against her.

It was in San Marcia, New Mexico, that she hired out to a local gambling establishment as a faro dealer and houseplayer in the poker games. It was the same thing all over again. Men flocked to see the famous woman gambler and it was here that she was really dubbed "Poker Alice."

She had not been in San Marcia very long when she fell in love with a professional gambler named W.W. Tubbs. Alice could have easily married any of the wealthy miners who offered to throw their gold at her feet. Instead, true to her ethics as a square gambler, she married the man she loved.

Their wedding was one of the most elaborate ever seen in that little New Mexico town. Disappointed suitors and elite friends showered them with gifts representing a small fortune. It is said this money was used by them to start their dual career beside the gambling tables.

But sometimes Dame Fortune smiles the other way. Alice and her husband found it difficult to make ends meet and she suggested he return to working for the house at a substantial salary. Even though they won and lost, never amassing a fortune of any size, the fame of Poker Alice always went before them and there were always offers in every town they visited for them to deal the games of chance.

People were fascinated by the steely gray eyes of this woman gambler—and also by the .38 calibre revolver which hung in a holster at her waist. There is record of her using this revolver twice, once to save the life of the man she loved.

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It happened during the early hours of the morning. Tubbs was dealing and Poker Alice was bucking the house game which her husband dealt. Suddenly a customer began a dispute over a bet, claiming Tubbs had short-changed him. Tubbs refused to pay more, stating he had paid the proper amount. The troublemaker cursed and grabbed for his knife. Just then Alice went into action. The .38 snapped from its holster and a sharp report of a shot was heard in the room. The attacker dropped his knife to the table as Alice's shot crashed into his elbow. Not a sign of emotion showed on her rigid face. Someone escorted the wounded man out of the building and the play was resumed as if nothing had happened.

Life planned for Poker Alice to see many things other than the green of the gaming tables. She saw men die in shoot-outs in the street and she saw many people die from disease, always doing her part to try and comfort the victims. Death played a grim role in the lives of the people. Alice witnessed young men die in gun duels at the bar, saw them slump to the floor in a heap. It was a time when men dug deep for gold, shallow for graves.

In Deadwood, South Dakota, the former stomping grounds of Wild Bill Hickok, her husband became seriously ill. All during his illness she refused to work the gaming tables, remaining ever at his side. When the end came and the Grim Reaper turned up the losing card for Tubbs, it is not known whether Alice went to pieces or took the verdict like a good loser. At any rate, when she again appeared in public life, she showed no emotion nor did she speak about her husband.

Poker Alice followed one strict rule and perhaps it helped her to forget some of the troubles that had befallen her. Every large winning was followed by a trip to New York City. When she returned she was laden down with garments of the latest fashion, always remarking that a gambler must be well dressed. Some people said her expensive clothing sometimes was a source of income for her when she was broke.

During the winter of 1891 Poker Alice and several miners crossed the Colorado Rockies and stumbled into the little town of Jimtown, sometimes called Creede, as that was the name of the railroad way station. None of the few residents recognized her as a woman dressed in men's clothing, nor did they when she began cutting down trees for her cabin. Alice knew that when the spring weather arrived, miners by the thousands would flock into the area. They did come, and it was not long before Poker Alice had to add to the size of her gambling establishment.

Courtesy of The Miller Studio, Pierre, S.D.

Wild Bill Hickok ran Deadwood when Poker Alice arrived there. She was one of the first ones to enter the saloon after Jack McCall shot and killed Hickok.

It was also in Jimtown that Poker Alice saw the body of Bob Ford, the killer of Jesse James, after he had been shot by one Edward O'Kelley. She had known Bob Ford there and often listened to him tell the story that his brother Charlie had been responsible for the death of Jesse James. However, there is too much proof pointing the other way. When the big rush for the Creede area gold fields opened up, O'Kelley came there as did Bob Ford.

Another actor in the drama about to unfold was Jefferson Randolph "Soapy" Smith. He took over Jimtown, appointing his brother-in-law, John Light, marshal. Smith owned and operated the Orleans Club on the east side of the canyon, and woe betide any sucker who thought he had a chance to win anything in Soapy's place. It was common knowledge that every game in the place was fixed. There was faro bank, bird cage, roulette, chuck-a-luck and stud poker, all as crooked as a ram's horn.

The other two gambling emporiums in Jimtown were Ford's Omaha Club and the Gunnison Club and Exchange. Smith wanted the other owners to accept his own methods, but they refused to go along with his proposition.

The Smith gang went to work on the Gunnison place first. Each night they would go into the place as gamblers and then start a row. Eventually there was the killing of Red McCune, one of the owners, who always attended bar. However, in the case of Bob Ford, the Smith gang was afraid to start anything because they knew he was a dead shot and swift on the draw, not afraid of anything. Consequently, they confined their activities to sending him letters written in chicken blood. These warning letters, signed "Committee," warned Ford that if he did not close and get out of town—he would be given the same treatment he had given Jesse James!

One night Ford got liquored up, leaped on his pony, and rode up and down the street. He stopped in front of the free-and-easy house referred to as the Central Theatre. There he made a speech to the crowd, telling them there was a certain element in town writing him unsigned letters and threatening to bump him off. Ford said if there was any one man in town who cared to shoot it out with him, he would be happy to oblige. He would meet anyone interested on the Mesa (west of the lower part of Jimtown). By that time the first electric lights had come to Amethyst Street and Ford pulled out his gun and shot out a light some 50 feet away, as a demonstration of his skill. After this, Smith realized that Ford was a dangerous man to fool around with.

Soapy Smith was smart enough to get someone to do his killings for him. Around his saloon Edward O'Kelley regularly looked for free drinks or odd jobs and Smith picked him as a likely prospect, since he knew that O'Kelley hated Ford.

"You'll become world-known as the man who killed the man who killed Jesse James!" he promised.

A big fire had emptied Willow Gulch of all its buildings. However, some of the wiser inhabitants had erected structures south of Jimtown on what was known as the School Land, which is the present site of Creede, Colorado. Shortly after the fire Bob Ford secured a location on the School Land and had a floor put down. He erected a tent over the

(Continued on page 53)

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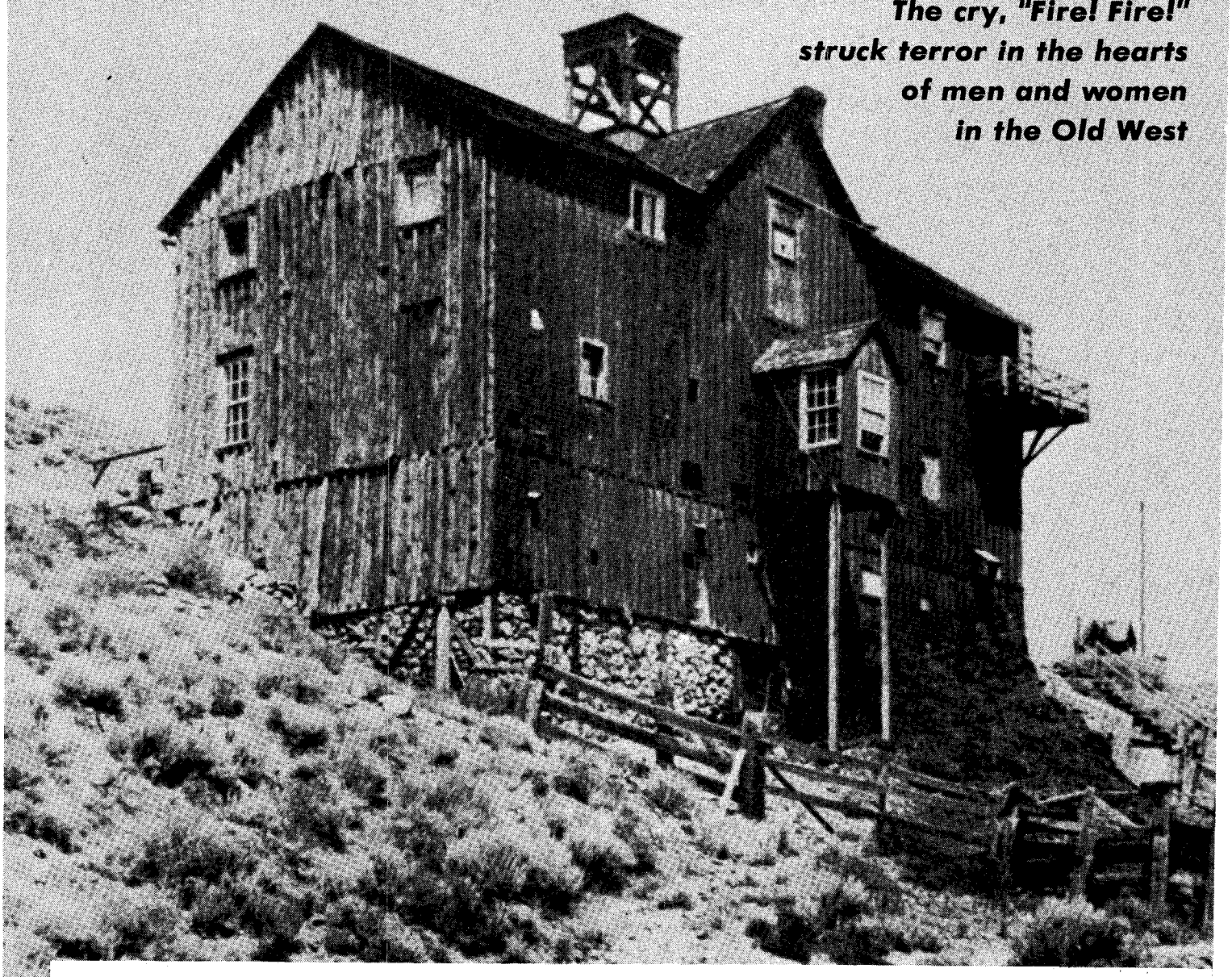
EARLY DAY

The cry, "Fire! Fire!" struck terror in the hearts of men and women in the Old West



Firehouse between Gold Hill and Virginia City, Nevada.

by Doris Cerveri

Blazing fires usually fanned by strong, gusty winds brought terror and despair to the hearts of men and women in small mining communities and other towns scattered throughout the West when the frontier was being explored and settled. Awakened more than once in the middle of the night by raucous, loud clanging of a fire bell, men rushed out of tents, paper-lined cabins and other flimsy dwellings, half asleep and half dressed.

Most small towns grew so rapidly no particular measures were taken against fire until a serious conflagration occurred which destroyed everything. A small fire in 1868, when the town was but a few months old, spurred Reno, Nevada, citizens to establish their first volunteer fire company. A fire alarm bell was acquired and seven wooden cisterns each holding 1600 gallons of water were constructed and placed in convenient locations. Ninety-five fire buckets were purchased, too, and placed near the cisterns. This crude method of fighting fires proved very ineffective when a tremendous fire destroyed the entire business section with the exception of five buildings on October 26, 1875. Wet blankets were brought out and placed on roofs of buildings, and people barely had time to take their personal possessions to safety.

Property owners raised quite a hullabaloo for a better equipped fire department, and as a result Reno Engine Company No. 1 with 64 members was created on November 10. This company purchased a hand engine with 1000 feet of hose and two carts costing $5000. Fortified with these and Railroad Fire Engine No. 48, the city appeared to be quite will protected. Organization of Washoe County Fire Company followed in July 1877.

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FIRE DEPARTMENTS

Members of the Curry Engine Company in Carson City, Nevada, posed during a demonstration in 1868.

The volunteer fire department of Virginia City, lusty belle of the Comstock Lode, had its origin in a bucket company also. Fires aplenty swept this mining camp because of haphazard building construction and also from a chronic lack of water.

Tom Peasley, owner of the Sazerac Saloon, and paramour of Julia Bulette, queen of the flourishing red light district, is credited with gathering together a group of big, brawny good-natured men in the fall of 1860. Most of them had had previous experience in New York fire companies, and although their training had been in the use of fists, spanners, and fire trumpets, they quickly mastered the new and different kind of fire fighting necessary in Virginia City.

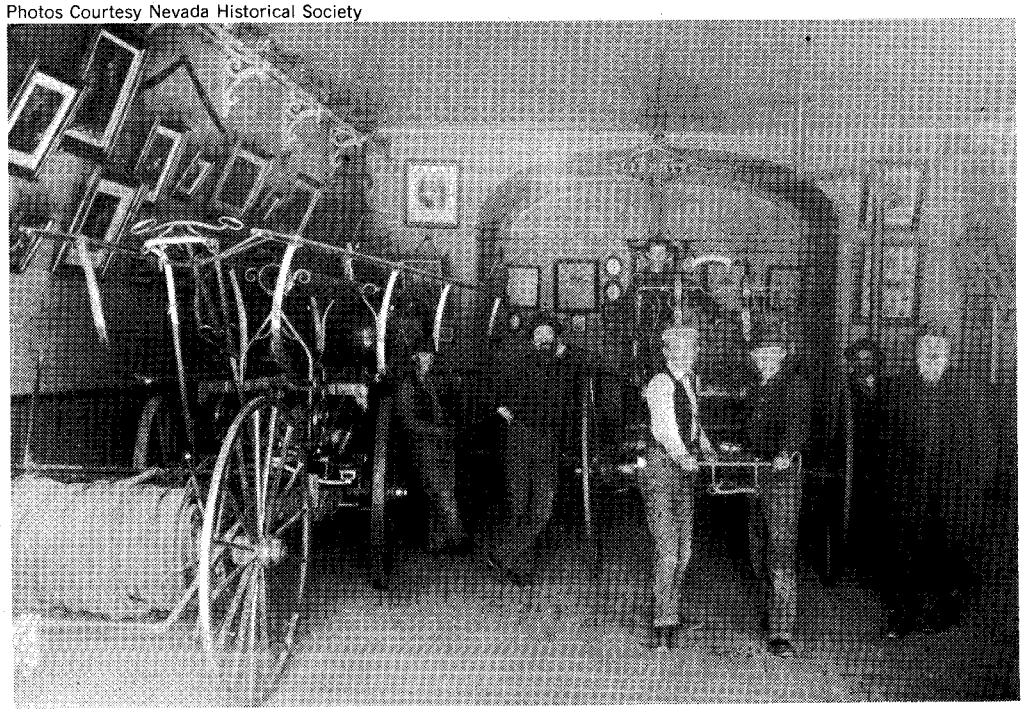
This volunteer group was disbanded the following year when the nucleus of Hook and Ladder Company No. 1 and Virginia Engine Company No. 1 was formed with Tom Peasley as foreman supervising 64 men. Later, when five or six rival companies were organized, Tom was elected chief engineer.

To start with their only equipment was a supply of buckets. They soon prided themselves, however, on having the most powerful apparatus on the Pacific Coast. They bought a magnificent machine from New York featuring 9 inch cylinders, a 7½ inch stroke, 24 foot brakes and 600 feet of hose.

All of the men who were members of these volunteer companies were bursting with exuberant energy. They were a restless, reckless element, but Tom Peasley had strict rules and regulations to harness their high spirits. After organizing the company he collected funds and built a substantial engine house on C Street. He also built a tall, red fire tower high upon Sun Mountain where watchmen kept a vigilant eye on the city day and night. They had specific orders to clang the bell if they spotted a fire of any kind. Tom divided the city into four wards and built up a powerful political unit. This group held their meetings in the engine house.

By 1875 volunteers had disbanded. Reorganization to a paid fire department was radical and complete. A change in the water supply system brought about a drastic difference in fire fighting methods. Pressure at the water mains was increased to such an extent that old hand *(Continued on page 55)*

Photos Courtesy Nevada Historical Society



Interior view of the Gold Hill Fire Company.

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by Josh Murdock

SLAVERY IN THE WEST

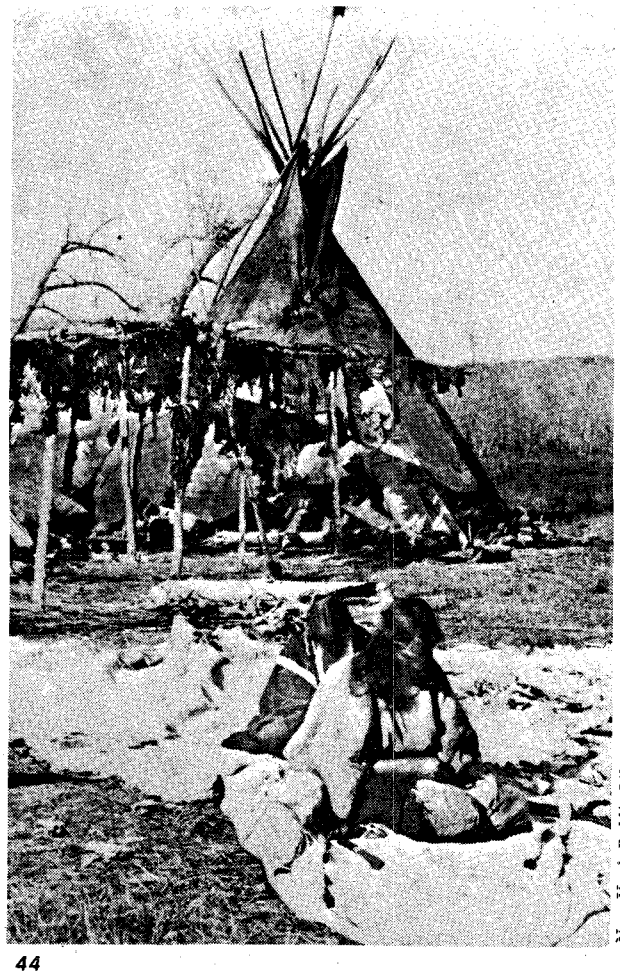
The weaker tribes suffered the most. A "likely girl" in her teens often brought $400.

THE GIRL CROUCHED low on the platform in front of the slave auctioneer. She was scantily clothed so that the firm lines of her body could be seen.

The auctioneer droned on, "$100, $100, look at the lines of that body, $150,—$160. . . ."

The voice droned on until the auctioneer got the price of $300 and the girl was sold into slavery. This auction did not take place in the South before the Civil War. It was a slave market near Santa Fe, New Mexico, and the girl sold into slavery was a Paiute.

Slaves in Cheyenne village lived in abject conditions.



New York Public Library

The year was 1859 and in that year slave markets were all over the West and as far north as the Hudson Bay country where slavery was a thriving business. We associate slavery before the Civil War as being confined to the South and the Negro slaves. But the institution of slavery was firmly established in the Old West—in states and territories that normally were just considered Western. The slaves in the West weren't apt to be Negroes, they were usually Indians, sometimes Mexicans, or, at times the shoe was on the other foot, "Americans"—white settlers, men, women and children.

The tribes of the Rocky Mountains accepted the idea of slavery, and so did the Kiowas and Comanches, who sprang from these mountain stocks. Instead of dooming their captives to death or adopting them into their tribes as the Eastern Indians did, they held them for sale, or to do the hard, dirty work. The slave was the property of his immediate captor, or, if taken by a group, the property of the tribe. The captive slave was completely subject to the will of his owner, even to whether he was to live or die, and he frequently found his ownership changed. He could be sold or bartered, or, as often happened, gambled away.

One Captain Johnson, writing about Apache customs, said that women, when captured, can be taken as wives by those who capture them, but they are treated as slaves by the Indian wives of the captor.

"If they chance to be pretty or receive too much attention from their lords and masters, they are, in the absence of the latter, unmercifully beaten and otherwise maltreated. The most unfortunate thing which can befall a captive woman is to be claimed by two persons. In this case, she is either shot or delivered up for indiscriminate violence."

The Apaches had adopted this abrupt method of settling controversies to prevent quarrels among themselves. If a horse were claimed as booty by two warriors, they had to come to a speedy agreement or the animal was shot. Similarly for a woman captive. It was a method that made for very short stories rather than long novels.

The government in Washington was admitting states and territories as "free" or "slave," but the District of Columbia was a long way away and its instructions were not always heeded. For the Indians and Mexicans in the West, it wasn't their government, anyway. For the white settler, he usually did what he wanted, the chances were that no government men were around to stop him.

An Indian agent named Calhoun wrote: "I may mention that there are a number of Indian captives held as slaves in this Territory, and Congressional action may be necessary in relation to them, and I respectfully submit the question for appropriate consideration."

The Territory was what is now New Mexico. It had recently been taken from the Mexicans and these people were the predominant population. The wealthier, land-owning Mexicans of that day could not see any great evil in slavery. Their method of peonage, or bondage for debt, amounted to life servitude in most cases, as wages were so low that a peon made just about enough for bare subsistence. Nor was there any public sentiment against the subjection of women to the pleasures of their owners. Of course, no one asked the peons about this. It was the ranchers and landowners who had the education and power.

THE AMERICAN who settled in the Southwest held very similar views about both Mexicans and Indians—he considered them inferior. The trapper or trader who desired a squaw, purchased one, and that was that. The settler who wanted servants often just bought them. They took to the system so naturally that legislation was necessary to try to stop it.

Many of the more reckless Americans went into the business of catching and selling slaves. One of these, a man named Weaver, was immortalized in the Journal of Colonel Cooke:

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"I had a conversation with old Weaver which was not official. He said, 'The Tontos live in that range over there. I never see them with more than one or two lodges together. They are a band of Coyotéros and are called fools for their ignorance. When I went over once, from the Pimas to the Cochanos and Mochabas (Mohaves) I met some lodges and had a fuss with them.'

" 'What sort?' I asked.

" 'Oh, we killed two or three of them and burned their lodges and took all the women and children and sold them.'

" 'What!' I was shocked.

" 'Yes, I have often caught the women and children of Digger Indians and sold them in New Mexico and Sonora. Mr. —— of Tucson told me a squaw I sold him ran off and was found dead, famished for water, I s'pose, going over from the Pimas to the Colorado.'

" 'What! Have you no feeling for her death, trying to return to her father and mother you tore her from?'

" 'I killed her father and mother, like as not. They stole all our traps; as fast as we could stick a trap in the river, they'd come and steal it, and shoot arrows into our horses. They thought we would leave them for them to eat, but we built a big fire and burnt them up.' "

The weaker tribes, naturally, suffered the most in this business. The wretched Diggers of the Salt Lake Basin were particularly put upon. Farnham wrote of them:

"These poor creatures are hunted in the spring when weak and helpless, by a certain class of men, and when taken are fattened and carried to Santa Fe and sold as slaves. A 'likely girl' in her teens often brings $300-$400. The men are valued less."

The Diggers fell under the control of the Mormons, who did what they could to improve the condition of these captives. The situation is described in the long preamble to an act passed in January, 1852, which states:

"Whereas from time immemorial, the practice of purchasing Indian women and children of the Utah tribe of Indians by traders has been indulged in and carried on until the Indians consider it an allowable traffic and frequently offer their prisoners or children for sale, and . . ."

There follows a long list of whereases, detailing how sometimes the Indians gamble away their own women and children, who became slaves, or they often killed women and children taken captive in revenge or for amusement. One family frequently stole the women and children of another family, such robberies and murders being committed in times of peace and unity, thus dragging the women and children to death or slavery.

"Whereas these inhuman practices are being daily enacted before our eyes in the midst of the white setttlements and within the organized counties of the Territory; and when the inhabitants do not purchase or trade for those offered for sale, they are generally doomed to the most miserable existence, suffering the tortures of every species of cruelty until death kindly relieves them and closes the revolting severity.

"Whereas, when all these facts are taken into consideration, it becomes the duty of all

Continued

This painting shows slaves at work in a typical Indian settlement.

Morrow Collection, South Dakota Museum

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humane and Christian people to extend unto this degraded and down-trodden race such relief as can be awarded to them, etc."

The act following this preamble provides that any white person having a captive in his possession shall go with him before the selectmen or probate judges and bind the captive over to some proper person in the discretion of the selectmen for a term of not more than 20 years. The person to whom he is bound over is obliged to send him to school for three months of every year, from the ages of seven to sixteen, and to clothe him suitably. The selectmen are also empowered to obtain such captives from the Indians for the purpose of binding them out.

Now, being bound out for 20 years (maximum) may not look, at this distance, like a great improvement on slavery. But it was. The Mormons, members of the Church of Latter Day Saints, were at least trying to do something to improve conditions. They knew a good deal about cruelty and oppression, too, having suffered at the hands of their neighbors all through the East and Midwest until they made their great trek west to the area around the Great Salt Lake, to "make the desert bloom like the rose" and to be left alone, they hoped, to run their lives the way they wanted to. This act said children had to receive a certain amount of education, which was a step in the right direction. Being bound over to a new master for a period up to 20 years is not what we'd consider freedom, today. But it was a great improvement for the captive or purchased slaves. They could not be killed or tortured at an owner's whim. They would be fed, housed and clothed and treated more like people than animals. As a matter of fact, most Westerners had greater consideration for their horses and cattle than for their slaves.

IN THE North, slavery prevailed everywhere and was aided and encouraged by the powerful Hudson's Bay Company. Slavery in Oregon was described as follows by Slocum:

"The price of a slave varies from five to fifteen blankets. Women are valued higher than men. If a slave dies within six months of the purchase, the seller returns one-half the purchase money. . . Many instances have occurred where a man has sold his own child. . . The slaves are generally employed to cut wood, hunt and fish for the families of the men employed by the Hudson's Bay Company, and are ready for any extra work. Each man of the trapping parties has from two to three slaves, who assist and hunt and take care of the horses and camp. They thereby save the Company the expense of employing at least double the number of men that would otherwise be required on these excursions. As long as the Company permits their servants to hold slaves, the institution of slavery will be perpetuated."

Slavery was more extensive in Oregon than anywhere else in the West, the Oregon version being somewhat similar to the African and Oriental systems. Stanley wrote about Casino, the celebrated Klickitat chief: "In the plentitude of his power, he traveled in great state, and was often accompanied by 100 slaves, obedient to his slightest caprice."

Stanley also wrote: "It is a very common practice of the Shasta, Umpqua, and Rogue River Indians to sell their children in slavery to the tribes inhabiting the banks of the Columbia River. During my tour through the Willamette Valley in 1848, I met a party of Klickitats returning from one of these trading excursions, having about 20 little boys, whom they had purchased from the Umpqua tribe."

Paiute Indian women sold as slaves go about their work. Slavery was a fact of life in the early West and even Indian tribes such as the Kiowas and Comanches accepted it. Slave women were often mistreated and if a slave girl was ever claimed by two men she was often killed to settle the conflicting claims.

The Oregon Indians also preyed upon the weaker tribes of California. The Modocs, Klamaths, and Pitt River Indians won a dubious reputation for being fierce and cruel slave drivers because of the way they procured captives for sale to their northern neighbors.

This system of slavery extended all through the Rockies, except for the area in the Northeast, and it had become so firmly rooted in the customs of the country that it was hard to get rid of it. It was brought to a summary end in Colorado in 1865, as far as white slave holders were concerned, through the efforts of the government. Indian Agent Head, accompanied by Deputy Marshal E. R. Harris, visited all owners of Indian slaves and informed them that they must be released.

Mr. Head reported: "I have notified all the people here that in the future no more captives are to be purchased or sold, as I shall immediately arrest both parties caught in the transaction. This step, I think, will at once put an end to the most barbarous and inhuman practice which has been in existence for generations. There are captives who know not their own parents, nor can they speak their mother tongue."

It took much longer to emancipate the slaves in New Mexico and Arizona. Twenty Mexican slaves were released from among the Navahoes in 1883. In 1866 the number of Indians held as slaves and peons by the whites was officially estimated at 2000. In Northern Mexico, a large number of North American Indians were being held in slavery, and officials of Arizona reservations were continually besieged with appeals to restore to our Indians their captive kindred.

The condition of these slaves was shocking. The female captives were nearly always subjected to indignities, both by the Indians and the whites. Among the latter they were frequently made public prostitutes for the gain of their owners. Among the Indians, there was also the constant possibility of sacrifice for religious purposes. At the death of any person of prominence it was customary to kill one or more captives who should serve as slaves to the deceased in the spirit world. Walker (Wacca), the noted Ute chief who died in 1855 and was buried on a high mountain near Fillmore, Utah, was accorded full honors. Four slaves, three children and one woman, were buried in the grave with him. Three of them were killed and buried, the other was thrown in alive.

Among the Chinooks, the burial custom was to bind a slave hand and foot and tie him to the corpse, after which they were deposited together in the place of sepulture. After three days, the victim was strangled by another slave, which must have come as a relief.

The particulars of the treatment that might be anticipated by captives were known to both races, and the whole system tended to add to their hatred. This feeling was particularly strong among the Apaches, whose women were noted for their chastity. In this regard they were equal, if not superior, to any Indians on the continent. The fate to which their captive wives and daughters were doomed caused both sorrow and natural resentment. This was not helped any by the fact that the whites did not make the same effort to restore Indian slaves to their tribes as they did to recover Mexican or American slaves.

The whole system of capture and slavery, or barter and slavery, kept the bloody enmity alive. When people are killed and out of the way, warfare may, to some extent, be forgotten. But when friends and relatives are held in slavery, there is a constant pressure to rescue them, or to seek revenge. The curse of slavery, possibly man's ultimate inhumanity to man, did much to fan the flames of hatred between the whites and Indians. ●

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TRAGEDY ON THE SWEETWATER

(Continued from page 23)

them to a gully where he found the eighty of them shot dead.

Jim kept his horses close to the barn after that, feeding them the hay that should have been kept for the winter. He never let himself sleep at night but roamed about with his rifle, doing all he could to protect his place. But the rumors continued, and the thing Jim Averill suffered most about was the spreading tale that his wife was Cattle Kate, a rustler and a bawdy woman. There was no way he could fight back.

Finally a dust cloud in the distance turned out to be fifteen riders booted and spurred, wearing leather chaps and flat-crowned hats with thongs under their chins. These were no ordinary cowboys but strangers brought to the prairie on salary from the cattle barons. And today their leader was Black Mike, the most notorious of all the hired thugs.

They came raging into the store, and Black Mike said, "We give you warning enough, Averill. So now we've come to arrest you for rustling and for blotching brands and running other people's stock into the Dakotas. We're the law."

"Law nothing!" said Averill.

But the men trussed him up, and they did the same to his wife. When young Tom tried to defend his parents by kicking and biting at the men, he was knocked aside. Through dirt and tears he saw Black Mike reach for him and grab him by the collar. Kicking and screaming, Tom was tossed across Black Mike's saddle and pressed against the horn, the wind jolted out of him. He was roped and forced to ride along with the marauders after they clattered out of the store, dragging Jim and Ella Averill whose hands were tied behind their backs and whose legs were hobbled.

The riders got their three victims into the shadow of a cottonwood grove, and then for the first time the boy knew exactly what had been planned for his parents. He saw his mother lifted to the back of a horse and the thongs cast from her ankles.

Black Mike said with a sneer, "Ladies first."

One of the horsemen drove alongside Ella and placed a noose over her head. He coiled the long rope and tossed it over a limb of a cottonwood tree. Another man seized the dangling end of the rope and dropped two half hitches over the horn of his saddle.

Jim Averill cried out, "There's no good swinging a woman. Let 'er go—swing me if that's what you want."

Black Mike answered, "She's in this as deep as you. And after you two we'll take your young whelp and swing him by the fetlocks and bash his head on a wagon hub. That'll get rid o' the whole layout. Ain't leavin' no whelps in this coyote den."

At this Tom's mother let out a piercing scream.

"Pull that critter up an' let 'er swing," Black Mike commanded.

The man who had tied the rope to his saddle spurred his horse, while another man struck the horse on which Ella had been seated. The rope horse swung sideways and braced all four feet just as Ella was unseated.

She hung, her face swollen and black, her legs jerking spasmodically, while young Tom looked on in frenzy.

While they lowered the dead body one of the men removed the hobbles from Jim Averill's feet in preparation for swinging him, too. Jim made a dash to escape.

But he was tumbled by the crowd and beaten with gun barrels, so that his broken jaw hung bleeding when young Tom got his next sight of him through the melee.

Tom cried frantically, "Dad, Dad! I'm here!" But he was completely helpless.

Black Mike heaved a fist at him and he landed against a tree trunk yards away. When he was able to open his eyes, he saw his father swinging. The rope horse again plunged and blocked with stiffly braced legs. Jim Averill's legs jerked wildly at first, then more and more slowly, until there was only a rigid twitching.

Black Mike watched the hanging man as if he were in a trance. But when he was sure that Averill was dead he turned to young Tom. In spite of Tom's kicking and screaming, Black Mike got him by the shoulders, then swung him upside down, seizing his ankles. He swung the boy like a pendulum, and Tom was no longer able even to scream. He felt himself giddying back, aimed at a tree trunk, and he knew his head was about to be bashed.

But suddenly two hands caught at Tom's shoulders in the middle of the final swing.

"Let go, Mike. I don't go for kid killing," cried one of the men.

Tom was almost out of his mind. He had given himself up and by now had lost all sense of hope. But he heard what the men were saying about his parents: "Leave 'em for the buzzards."

Black Mike was still arguing about Tom: "He's a witness. What you gonna do with 'im?"

"We'll ditch 'im when we get to the Dakotas," said the other man. "Let the Injuns find him. It's their funeral what they do to 'im."

Tom was then hoisted to the saddle in front of the man who had saved him, and he was almost too numb from pain and anger to think straight. He was frozen silent, but he was shivering so that he could hardly sit on the front of the saddle.

The men took him back to his parents' home and held him roped while they looted the place. In the barn they caught his own pony and tied him to the saddle. In the meantime he watched the men opening his father's stock of whiskey and gulping down the stuff as they packed as much of the other merchandise as they could into their saddle bags. And then he saw them set fire to the store and the barn.

The crowd moved off, Tom on his pony dragged along by a rope which one of the riders held. All he knew now was that they were headed for Dakota where they would throw him to the Indians. He was beyond fear for the time being, almost crazy with grief and horror. The blows he had received were so painful that several times he blacked out.

But he was being dragged along, and the men made camp twice before they spotted a dugout with a rotted log roof.

"Here's a good place to leave the runt!" cried one of them.

They talked about the nearby Indian tracks and decided that the boy might be found sooner or later if they left him here.

Black Mike, however, insisted on tying Tom inside the dugout with a piece of chain and some wire to make it impossible for him to escape by himself. When Tom was secured and the riders had left, he was trying to muster up the strength to call for help—when he saw Black Mike sneak back to the dugout and grin at him.

Black Mike aimed his gun and fired.

In the dugout the explosion roared like doomsday, and Tom felt hot pain in his throat. He blacked out for many hours.

When he regained consciousness his feet and legs were stiff and he was shivering in the dark and the cold. He tried to stir. At the rattle of the chain he suddenly remembered the whole terror, while pangs shot through his body and the pain in his jaw and throat seemed unbearable.

In spite of the pain he tried to shout. He shouted at intervals, every time he could make himself brave enough to stand the pain which was caused when he used his throat.

After daylight had seeped into the dugout he heard what may have been a footstep, or it may have been only the snapping of a twig. He was afraid it meant the approach of some wild animal, and a new terror overtook him.

But in the full flood of sunlight he made out the head and shoulders of a human being slowly crouching down to look at him. Evidently his weak shouts had been heard.

At last he saw that the head had a ragged scalp lock from which hung a single eagle's feather. The face beneath it was streaked with white and vermilion paint. Tom's terror mounted.

Without realizing what he was doing, he felt that he ought to run, unreasonable though that was. And the slightest movement of his limbs made the chain rattle. Evidently that frightened the Indian. At any rate, the head and shoulders disappeared. Tom lay in rigid silence, and minutes later the Indian returned.

Tom saw the Indian creeping toward

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TRAGEDY ON THE SWEETWATER

(Continued from page 47)

him and he held his breath in the worst fear he had yet experienced.

The Indian carefully inspected the way Tom was tied, and working the wire with his teeth and his fingers, he was able to free the boy. He carried Tom into the sunlight and unfastened the thong on his wrists. He tried to get Tom to stand, but Tom fell in pain and exhaustion.

Thereafter the Indian carried him against his musky brown hide, and for the first time Tom realized that he was safer with this savage than he had been in a long, long time.

When Tom saw the hides stretched between the tepees on poles, he knew that he was in a Sioux hunting camp. He saw brown children and square-faced squaws gather around to peer down at him. He was placed on a hide on the ground. A band of braves came running to inspect him, and their leader was wearing an embroidered vest.

This leader attempted to say some words in English, and though Tom could hardly make his sore mouth speak, he managed to say, "Black Mike shot me."

Inquiringly the Indian pantomined the shooting of a rifle, and Tom nodded.

A buxom squaw lifted Tom in her arms and carried him into a tent, placing him on a mat of buffalo skins. She bathed the gun wound in his neck and crooned over him. Then she placed hot poultices on his jaw, and he felt soothed by the fragrance of herbs.

A few days later the Indians managed to call Dr. Glennan from the U.S. Eighth Cavalry. Gradually Tom grew stronger under the loving ministrations of Morg, the squaw. He learned that the Indian in the beaded vest was Chief Iron Trail and that the one who had found him in the dugout was called White Eagle.

Dr. Glennan explained that it was necessary for him to remove the bullet from the back of Tom's neck where it had lodged after striking his jaw. This was evidently such a painful operation that Tom never afterward remembered it. He probably blacked out while the doctor was working on him.

Dr. Glennan had the idea that if the man who had shot Tom ever heard that the boy was alive, he might come back to kill him. Therefore, he cautioned the Sioux to guard Tom carefully.

Everybody seemed to doubt that Tom could have come from such a faraway place as Sweetwater, and he did not have enough strength to insist. Actually, he was unable to talk to anybody about the horror he had witnessed. Whenever he was questioned he found it impossible to force his lips to report all that had driven him nearly out of his mind.

Tom regained his strength and learned to like the Indian children who played with him and told him the Indian names for things. Within six months he was as tanned and as wild as his playmates. One day when he seemed to have completely forgotten the old terror, he saw his playmates disperse like quail and disappear in the undergrowth along a stream. But We-No-Na, an Indian girl, grabbed him by the wrist and tried to drag him to safety.

Ella Averill became the subject of ugly rumors and vile slander. She was accused of everything—including cattle rustling!

Then Tom saw that a horseman had suddenly appeared—and that it was Black Mike. He pointed to his jaw scar in order to make it clear to We-No-Na who this man was.

She shrieked like a screech owl, just as Black Mike dismounted and grabbed the rawhide band around Tom's waist. He tossed Tom across his saddle and put his foot into his stirrup to remount. Tom sank his teeth into Black Mike's hand and started to kick. During the renewed screeching of the children, and while Tom was fighting furiously, Black Mike heaved himself into the saddle.

Suddenly a husky voice cried, "Let him go!"

Black Mike started to grab his whip. But an Indian named Pete hurled himself from his own pony and with one arm around Black Mike's neck dragged the desperate killer off his horse.

Tom, too, tumbled off and rolled over and over until he was out of the way of the hooves.

Then Tom saw Black Mike fighting for his life, while Pete clung to him and slowly choked him to death.

They rolled about in the struggle while Black Mike tried to get his spurs into Pete's legs. But Pete's wiry legs hugged Black Mike's abdomen while his hands were relentlessly at his throat. It seemed an age to Tom before Black Mike lost his strength. His eyes popped and his mouth sagged, his thick tongue bleeding in streams through his teeth.

At last Tom saw the final quiver in the legs of that hated Black Mike and the last stiffening tremor of his arms.

Pete slowly released himself from the heavy carcass, and by that time other Indians had arrived on their swift horses in answer to the screams of the children.

The whole Indian village rejoiced savagely for Tom's sake, for by now he was one of them.

And he grew up among them, learning from them to ride so well that he seemed to be part of his horse. They also taught him to make a lariat "talk," and for miles around he was known for his exceptional skill in training wild horses.

When Buffalo Bill Cody was preparing one of his Wild West Shows, he engaged one hundred Sioux as well as Tom to put on an act. But Tom was only fifteen years old at that time, and it was necessary for Buffalo Bill to contract him through a legal guardian. The star of his show, the famous crackshot Annie Oakley, volunteered for that task. She was Tom's guardian until he reached the age of twenty-one.

As soon as he reached manhood, Tom established his identity. He learned, among other things, that after he had been carried away from the cottonwoods where his parents had been lynched, cowboys had reported finding the smoky ruins of the Averills' store. The bodies of the Averills were not found in the embers. Therefore Tom C. Grant, who was known as Silver Tip, formed a posse of the settlers in the Sweetwater Valley and they rode out as a search party. They found the forlorn corpses in the cottonwood grove and gave the Averills a decent burial.

But they had long puzzled as to the fate of Tom.

When Tom was famous as Buffalo Tom Vernon, appearing in Madison Square Garden and many points west, he made public the names of the cattlemen who had hired Black Mike and the other marauders. But there was little satisfaction in this, since none of them was ever punished. In fact, some of them had amassed fortunes as members of the guilty syndicate, and they had left their riches to their kin.

But the pioneers who had laboriously proved up on claims had been left impoverished with nothing to bequeath to their own loved ones.

Nevertheless, the record stands. The only survivor of the Sweetwater Massacre was at least worthy of his brave parents in terms of his own courage and skill. He long performed throughout the country as a buffalo rider and a trainer of wild horses.

Never has a TV thriller equaled the actual experiences of Tom Vernon. ●

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PAWNEE BLOOD

(Continued from page 35)

until the death trap against the Pawnee was sprung.

Waved on by Williamson, the Pawnee crossed the Republic and, after their scouts returned saying they had sighted thousands of grazing buffalo, wound their way eight miles up a canyon leading from the north toward the divide above the grassy plain which held their winter's meat supply. As the head of the Pawnee column approached the ridge, a small group of Sioux appeared on one of them, sitting motionless on their ponies as though their thin line could stop the oncoming Pawnees.

Williamson called a halt. Then he rode on, taking with him Ralph Weeks, a young brave who'd been given the white man's schooling. Williamson was confident that the other Indian agent had been successful in preaching the gospel of peace. Signaling that he wanted to parley, he rode toward the small Sioux group with assurance. He was greeted by a crash of rifle fire and his horse was killed beneath him.

The trap had been well set. The small band of motionless Sioux on the ridge had been no more than a decoy. The main body of the Sioux had been concealed on either side of the canyon, waiting for the unsuspecting Pawnee to get so far into the trap they could not pull out again. By the time Williamson had been shot at, the Pawnee were caught in the canyon, all of them.

The Sioux opened up from both sides, with rifles and bows and arrows. The Pawnees, realizing at once what had happened, geared themselves for a hopeless battle. They hurried the women and children into a ravine, and rode out to meet the enemy with bow, arrow, knife, tomahawk and spear, since only a few had guns of any kind.

Old men joined with youths, leaving the women and children to pray for victory or an honorable death. For two hours, the ambushed Pawnee held off the better armed and more numerous Sioux, fought them to a standstill, until their supply of arrows ran out.

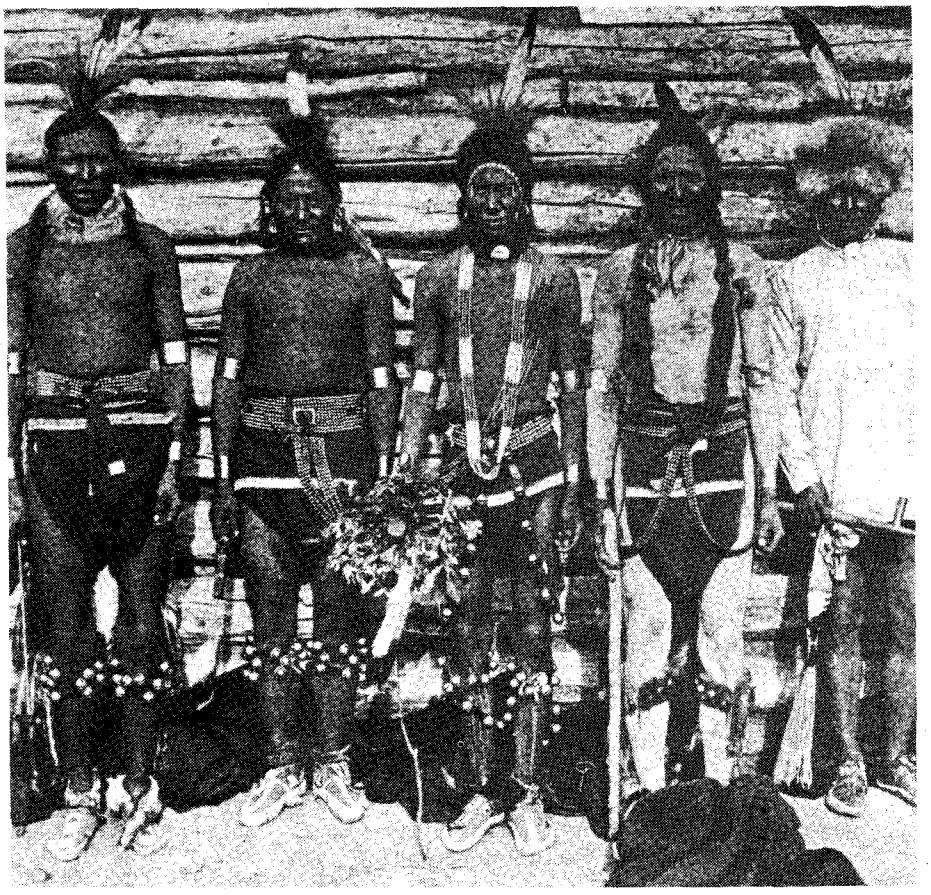
After they had nothing more to fire at the Sioux, they gave way, removed packs from their horses, and tried to fight their way back down the canyon. The Sioux left the high ground in hot and bloody pursuit. Now the battle got down to hand-to-hand combat, with Pawnee men, women and children overwhelmed by the savage attacks of their ancient Indian enemies.

The hapless and helpless Pawnee, seeing the troops of the 3rd Cavalry, sent runners to ask their aid, still confident that their trust in the white man had not been misplaced.

The soldiers sat impassively on their horses and watched. The captain refused to take any action to stop the massacre. His feeling was that if the Indians wanted to get into a scrap and kill one another off, so much the better.

The Sioux, having won the battle, rounded up hundreds of loose Pawnee ponies and chasing them ahead, left behind them hundreds of dead and dying Pawnees in the fateful canyon. Sky Chief was dead, his body mutilated in thorough Sioux fashion. So was Nick Koots, a noted Indian scout, and Pawnee Mary, a white woman who lived with the tribe. Williamson escaped, due to having been thrown from his horse when it was killed. Ralph Weeks also survived to tell the story.

Many of the dead were squaws and children. Traveling Bear, a great trailer who had been given a government medal for bravery a few years before, lost his wife and four children. He escaped because he'd been wounded, and unconscious, left for dead. Recovering consciousness, he saw a Sioux scalping a nearby Pawnee. When the Sioux finished and bent over Traveling Bear to get his scalp, the Pawnee threw an armlock around the startled Sioux's neck, grabbed his scalping knife and stabbed the Sioux to death. Despite his wounds, Traveling Bear walked more than 150 miles across country to reach the village on the Loup, but he died soon thereafter.



A group of Standing Rock Sioux "ghost dancers." This picture was taken at approximately the time of the Sioux-Pawnee war.

As for the other survivors, William Z. Taylor, saw them and reported their story:

"About noon, while we were building the first store in Culbertson, we saw about 30 Indians, dismounted and lined up on a hill about 300 yards to the northwest. They were making great efforts to attract our attention. Our party, six in number and well armed, formed a line in front of them. After some time, they understod that we wanted them to meet one of us half way. It was done, and he proved to be a Pawnee. Then we motioned for all of them to come down. In less than an hour, the survivors of the battle had gathered around us. They were squaws, many of them with papooses strapped to their backs, and were pleading for protection, making a pitiful sight indeed."

The next morning, Taylor and some other settlers reached the shambles in the canyon. One dead-end gorge was filled with bodies of Pawnees and their ponies. Later, after seeing corpses piled up all over, the Taylor party found a two-year-old child who had been scalped but was still alive.

The settlers were appalled by what they saw, but it did not move them to do anything about it. They were living in a time when the common sentiment was that the only good Indian was a dead Indian. So the bodies were left lying in the hot sun for 20 days until a burial detail was sent out from Fort McPherson.

The men in the detail masked their faces with bandanas, because of the stench, and moved the bodies with long-handled pitchforks, tying one end of a rope around a body, fastening the other end to a saddle horse, and dragging it to a hole in one side of the canyon wall. When all the bodies were packed in, it became a huge common grave simply by caving in dirt from the bank on the bodies.

The Sioux losses were never determined, though it was known they were few. A month or so later, a hunting party found some wrapped Sioux bodies in trees in a canyon. They counted six of them, and followed the Sioux trail from the bodies to the battle ground, but found no trace of any wounded. It was figured that the Sioux carried their wounded back to their camp. Some of those may have died later, but their number, if any, was never divulged.

The battle broke the backs of the Pawnee as a nation. Dispirited, hungry, humiliated and mourning their dead, they made their way back to the Loup River Reservation and never visited their hunting ground again.

On a knoll that overlooks the fateful canyon, near the town of Trenton, there is a shaft of granite put up by white men to commemorate the last great battle between Indian tribes. The faces of two survivors of the battle: John Grass, a Sioux, and Ruling-His-Son, a Pawnee, are carved on opposite sides of the shaft. The latter was still alive, though over a hundred years old, when the monument was dedicated. On the shaft the faces of the two representatives of old tribal enemies were finally together in peace. ●

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MOMAN PRUIETT—GENIUS OF HATE

(Continued from page 17)

and signed my name to it. That idiot thought it was me and voted an acquittal. I'll have you arrested for jury tampering."

"Now just simmer down, Sam," Moman said, offering him a drink. "You're just mad because you got outsmarted. You got a couple of sure-things on the jury and now when I've tricked them, you're gonna do all sorts of things. Forget it."

"Yep, Moman. You're right. But how-in-hell did you ever get that old cuss Tom Adkins to vote acquittal right from the first?"

"Remember that doll old Tom has been sparking?" Moman asked. "She's Ashton's half-sister and she'd do most anything to help out. She did most anything, and she did help out."

SAM GARVIN'S grudging admiration was matched by that of almost everyone else in the Territory, and Pruiett's fees for murder cases were in the four figure class thereafter. But Pruiett never turned away anyone charged with murder. If they had no money, he defended them for nothing. There were no variations from that rule.

Pruiett successfully defended Jeff Adkins and received $3,000. That same night, he met Red Fox, who could make a deck of cards sit and spit apple juice, and Pruiett lost heavily.

Liquor temporarily spelled his fantastic gambling losses but both instilled a guilty feeling. His only relief came when he was able to do something for a poor client, thus proving perhaps that he wasn't entirely worthless. He was as likely to fly apart as quicksilver whenever he was reminded of his prison record. A disgruntled officer snarled, after an acquittal, that Pruiett was the crook that ought to be in jail.

"You're nothing but an ex-con, Pruiett."

Moman Pruiett fired point blank at the officer, Jim Croter, but only nicked his arm. Sam Garvin got him away.

"Stop this drinking and this nonsense, Moman," Garvin counseled him. "You're killing yourself and you're likely to kill someone else."

Pruiett, heading for disaster, began to believe that he had prescience, indicated by noises in his head. Once he had a feeling that something was wrong at Paul's Valley and left a case to go home. He found his son near death with diphtheria. Shortly thereafter his wife also died.

With the sad duties concluded, he closed his office and disappeared for more than a month. He never said where he spent the time but there was no doubt that he had been punishing himself, from his appearance upon return. But he soon married his secretary, Leda Sniggs, and reentered the maelstrom of murder and mayhem.

Civilization gradually mellowed the Territory, which in time became a state. Moman Pruiett, too, seemed to be quieting down. He moved to Oklahoma City and announced that he would no longer handle criminal cases but would specialize in corporation law. But Pruiett found he couldn't hate a corporation. He needed an outlet for his inner violence which always needed nourishing. Civil law just didn't satisfy him. It took a sensational case to unleash again his special talents.

The Rudolph Tegler murder case had caused a furor in the Southwest. According to the indictment, Tegler had murdered Jim Meadows, a Pioneer Telephone Company official. There was even an official confession to prove it. In a saner moment. Tegler repudiated the statement but two juries had believed he was guilty. Through judicial error the higher courts had twice set aside the verdicts and ordered new trials. The third time seemed decisive.

Moman Pruiett resisted taking Tegler's defense for the third trial right up to the time when the family offered him a $10,000 retainer. Though it was now the Twentieth Century, Pruiett proceeded on the theory that juries could still be confused and befuddled just the same as when the West was young. He was right. His legal pyrotechnics worked, with Tegler being set free.

Once back in the fray, murder cases followed in rapid succession and Pruiett startled the legal world with a new gimmick. It originated in the trial of Patrolman G. S. Crow, who had won an argument with a bookie to whom he owed a large sum of money by simply firing five bullets into the chest of Nick Kaufman—while Kaufman was confined in a jail cell.

Since there was no known defense for such antics, it took some doing on Pruiett's part to devise a dodge which would spring his client. Carefully he laid the legal groundwork for the emotional mental stress felt by his client when he realized his career, social standing and everything else was in the hands of this wretched (but jailed) gambler.

"He was impelled by hysterical insanity to kill this man," Pruiett announced dramatically. "He was mentally ill and therefore not responsible for his actions."

Since there was a reasonable doubt, the jurors had no choice but to acquit Pruiett's client. There was doubt indeed. No one had ever heard of hysterical insanity before but this novel plea was the forerunner of many pleas of mental aberrations which are offered in modern courtrooms.

MOMAN PRUIETT returned to his fine, panelled office. Now he drank his liquor from a glass, even pouring drinks from a cut glass decanter. His clothes matched the new decor; they were tailored. Patent leather shoes had replaced the boots of the frontier days. There was even a newfangled typewriter to use in preparing briefs, letters and things.

Everything seemed changed, Pruiett reflected. Everything except human nature. His reveries were interrupted when his phone rang. It was a long distance call from Fayetteville, Arkansas. Such a call in those days, all the way to Oklahoma City, meant something important.

"Pruiett, this is Red Fox . . ."

Pruiett bristled when he heard the voice and recalled the $3,000 for which he had been clipped by this man.

"Remember me?" the voice, crusted with fear, asked.

"Remember? Remember? I should!" Pruiett yelled. "You owe me $3,000 you double-dealing dog. I don't know what they got you for but hanging is too good. . . ."

"Murder! Murder!" Red Fox knew those words would stop Pruiett before he could cut him off. "They've got me for murder and they'll hang me sure as hell if you don't do something."

Red Fox knew Pruiett well. The lawyer arranged to come to Fayetteville, even though he hated the man he was going to defend. It was almost with grim satisfaction that Pruiett found Red Fox almost helplessly enmeshed in a crime from which there seemed no escape.

Pruiett was one part lawyer and one part actor. His courtroom style kept juries fascinated.

Red Fox and Gus Sartin had robbed a respected old southern lady, Carrie Winklman, then wantonly murdered her. Part of the $20,000 loot was found on Red Fox, the rest on his partner. But Sartin had escaped punishment by hanging himself in a jail cell.

"It'll cost you $8,000 to have me represent you," Pruiett said after talking with the murderer. "My fee is $5,000 and the rest is the $3,000 you stole from me."

Red Fox winced at the amount, but he realized there was no choice. He scribbled a note to a man who paid Pruiett—probably from the money Red Fox had stolen from the murdered woman.

The Winklman family was just as determined that Red Fox would pay for his crime, as Pruiett was determined that he would escape punishment. He was faced by the best lawyers from both Arkansas and Texas.

In a way, Moman Pruiett savored the situation. It was here that he had grown up, a waif of the streets, and had first been sent to jail. He had been mistreated by some of the august lawyers who now faced him as equals, and though they didn't know it, two members of the jury had been connected with his childhood. It was indeed ironic.

The evidence against Red Fox was monumental and conclusive. Pruiett paraded witnesses across the stage to prove that Red Fox had been far away when the crime was committed but even the great Pruiett could see that he was fighting a losing battle this time. A legal miracle was still possible and two men on the

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jury seemed the key. Pruiett had to be secretive so the opposing legal talent could not torpedo his attempts.

One of his opponents unwittingly provided the perfect opportunity. Enoch Fagan, a red haired special prosecutor, couldn't resist taunting Moman Pruiett. Pruiett was slumped in his chair when a shaft of sunlight ignited a facet of his diamond ring. Fagan indicated the valuable gem.

"Look at that diamond ring, will you?" he told the jurors. "It should be a bloodstone. It was bought with the blood money of victims and given to Moman Pruiett to save murdering necks from being stretched."

He continued to berate Pruiett, pointing up what a bloated, rich lawyer he was.

"Thank him, you murdering lout," Pruiett whispered to Red Fox. "That man has just saved your life."

When the summation was presented, Pruiett spent only brief moments reviewing the evidence before answering Fagan's personal attack on his character. He began by relating that he had lived in this very town, Fayetteville, and had worked incredibly long hours simply to survive.

"Objection, your honor," Fagan yelled, when Pruiett began the personal recital of his hard times.

"Over-ruled," the judge thundered. "This comment would have never been admissible if you hadn't taken it upon yourself to heap such abuse and calumny upon Mr. Pruiett. He now has the right to answer. You opened the door."

Pruiett first centered his remarks on one juror, elderly F. L. Van Zant. Pruiett recalled the days when he was a street gamin and shined shoes to help his family. Once, Pruiett remarked, he had shined the shoes of Mr. Van Zant and the brush had slipped and blackened the socks of his customer. Angered, Van Zant had slugged the boy, who was taken to a doctor for emergency treatment.

That night there was a crisis and there was some question of the lad's survival. Now the man who had inflicted that wound sat on the jury. Van Zant listened with moistening eyes.

Satisfied that he had won that man, Pruiett then turned to another.

"Noah Stockburger, you surely know what honest work is. You must remember when a little boy came to help you with your cattle, working long hours to help save your farm. I was that little boy. . . ."

Moman Pruiett continued relating his childhood experiences with these men and all of the jury members were visibly moved.

"I call these matters to your attention to show the value of Mr. Fagan's judgment. Anything I have, I earned. You know that. Are you going to believe me or someone who has such a low opinion of honest people working for a living?"

There was little question as to the outcome of the verdict. Red Fox was immediately acquitted on the strength of Pruiett's boyhood experiences.

MOMAN PRUIETT'S ability became a legend. He was the subject of many feature stories and magazine articles, one telling how he freed four murderers in one week. Along with his popularity, Pruiett's fees also soared to astronomical heights.

Perhaps one of his largest was $50,000 extracted from George Hopkins, who stood accused of murdering his father in Lawton, Oklahoma. The fee represented money and property willed the suspect by his father. Another barrister objected to such an outrageous fee for defense.

"If he's convicted the money isn't worth a damn to him," Pruiett observed. "If he's acquitted, he can make more. Besides, no killer should be allowed to profit from his crime."

Hopkins was acquitted, ostensibly because his lawyer arranged to have his name forged on a hotel register for the night of the crime. Hopkins had been so blatantly guilty that a mob charged the courthouse when the innocent verdict was read. Pruiett and client escaped through a coal chute.

Moman Pruiett became such a one man scourge to justice that an organization called The League of Law and Order was formed to offset his influence and scuttle his efforts. But even these aroused citizens were bested when Pruiett went to great lengths to publicize their efforts to destroy his effectiveness as a defender of the poor and distressed.

Moman Pruiett's fame had its penalties. It cost him a large fee in one case.

Near Ada, Oklahoma, old Gus Bobbit, former U.S. Marshal, turned cattleman, was having trouble with Jess West and Joe Allen, two cattlemen of dubious reputation. Jess West and Allen, assisted by a cowboy, B. B. Burrell, and a paid killer, Lee Miller, bushwhacked old Gus in a canyon near his home and killed him. Rage in the county rose to a high pitch against West and his companions when it was learned old Gus wasn't armed.

West and Allen were arrested and two days later Miller and Burrell were picked up in Fort Worth, Texas, and taken back to Ada to stand trial for murder. West sent a frantic call to Moman Pruiett to defend him. He made the mistake of sending the message to Pruiett via the local telegraph office. The telegraph operator, a friend of Gus Bobbit, gave out the news of West's wire to Pruiett and Pruiett's answer that he would be in Ada the next day to arrange for West's and his companions' defense.

The citizens of Ada and the county had no intention of letting Pruiett use his courtroom tricks to free West and his fellow killers. The next morning when Moman Pruiett arrived in Ada, ready to collect his juicy fee in advance, the sheriff told him his clients were not in the jail but he would take him to them. The sheriff took Pruiett to an old barn where his four clients were dangling at the end of a rope, dead many hours.

That was one fee Pruiett never collected.

Pruiett, though flamboyant and capable of twisting the law into a pretzel if that would serve his client, was responsible for a number of precedents which still stand today. Though it was not a sensational trial when viewed in the light of many Pruiett triumphs, his handling of blind Senator Thomas P. Gore's defense in a blackmail trial is still cited as a model of conduct in trial procedure, even though it took place back in 1913.

Pruiett couldn't begin to handle all of the cases where his assistance was requested. Even his office staff was overwhelmed. Volumes cite his activities. At times Pruiett was so continuously occupied that checks amounting to thousands were not even cashed. They were carelessly stuck in desk receptacles until some one thought of them and took them to the bank. But Pruiett didn't stint himself, nor his family. They resided in a handsome mansion. He was first to buy a horseless carriage and by 1913 owned the most gaudy and expensive Cadillac in Oklahoma, with a liveried chauffeur to wheel him about from court to bootlegger to court to bootlegger.

Moman Pruiett never lost his love of fine clothing and his dedication to gambling and booze was equally constant.

THOUGH IT would have seemed that he had outgrown, outlived and outworked the Trail of the Serpent, it coiled about him again when he decided to enter politics. Naturally, his opponents used his prison record against him. While Pruiett had never denied it, over the years he had forgotten the pain of the humiliation. He now turned away from public life, seeking solace in the jug. His resentment nurtured on alcohol and now it flared again into uncontrollable revulsion and hatred against the world. He was seldom without a drink, save when courtroom hours demanded sobriety. He was viciously ruthless with juries and courts, and as a measure of his contempt, Pruiett hinted rather broadly that judges and juries were bribed to assure his run of unequalled victories.

His disintegration crept slowly but surely upon him. He drank more and he drank alone, rejecting companionship. His chauffeur was then ordered to drive him aimlessly about the city until Pruiett passed out.

It was on a Thursday, July 21, 1919, when the end appeared over the horizon. Pruiett had been drunk since the first of the week and had finally wandered into Joe Patterson's place, a deadfall at 615 First Street. Exactly what happened there has never been candidly explained.

There were pistol shots and Moman Pruiett was found with a gun in his hand, babbling drunkenly:

"I shot 'im. I killed that ——."

Editors dusted off their largest type when they printed: MOMAN PRUIETT HELD FOR MURDER. It made every newspaper in the United States, and many journals in other countries. There was a coroner's inquiry and Pruiett, now sober and canny, represented himself. He claimed self-defense though there was only one weapon, *and he was freed.*

That adventure had taken its toll, however. Pruiett seemed to have left his spirit behind and the end of his fantastic career was in sight.

He was presenting a case in court when his voice cracked. He was excused from the summation and a doctor examined him. Cancer. Pruiett's answer was liquor—lots of it—fifty cases.

He was going to tour the world while he drank himself to death. Neither goal was achieved. He didn't make it around the world and he didn't die of cancer. Determined to conclude his affairs, he was in Austin tying up some financial strings when he met a doctor he had defended many years before. The medico insisted upon examining his throat—and refuted the cancer diagnosis.

Pruiett, jubilant again, resumed his law practice and his usual way of living. He moved to Florida where he was involved in a few notable cases. One involved the KKK which he won by covertly joining the Klan to secure information.

Tiring of Florida he returned to his old haunts in the West. He opened an office in Oklahoma City. The hate that had anguished his personality for years finally began to take its final toll.

Sam Wilkerson and his wife were arrested for the murder of the pawnbroker, Isaac Heminway. Moman Pruiett represented Mrs. Wilkerson, but the old magic and spark were gone.

He pleaded with the jury not to send this daughter of Oklahoma to prison but his old trickery, his old amazing brilliance of mind and speech, were lacking. Mrs. Wilkerson was found guilty and got twenty years.

That was Moman Pruiett's last case. Despite all the vast sums he had earned as a lawyer, he was broke and destitute. A senile old man, dependent on welfare, he died in 1947. ●

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GUARDING THE RIO GRANDE

(Continued from page 25)

reaper. The dent in the case caused by the bullet was as large as the end of a man's thumb.

One day, in McAllen, an informer explained that two men, one by the name of Menardo Gonzales, were going to bring in a herd of smuggled cattle that night and pen them in a corral. They were due to reach the cattle pens about nine or ten o'clock that night.

The inspector knew both men by their unsavory reputations and decided to be at the corral when they came in with the cattle. After dark he rode down and hid his horse in a nearby woods.

About ten o'clock he heard them coming, and watched from his hiding place in the brush as they penned the cattle. Just as the last animal was inside, Captain White walked quietly up behind the man who appeared to be in charge, who was fastening the gate. The other four smugglers froze in their tracks when he appeared and just stood rooted to the ground without making a sound, until the boss-thief asked one of his fellow rustlers to go around to the back of the corral and see if that gate was fastened. When the man failed to obey him he turned around, and there was the inspector within three feet of him with a gun in his hand. The cattle thief, scared nearly out of his wits, insisted on a disorganized, instant confession, until the inspector had to burst out laughing. He finally put him under arrest, the man still volubly stammering and chattering that the cattle were not his.

The good Menardo was also placed under arrest. At their subsequent trial Menardo was fined $500 and sentenced to a year and a day in the federal penitentiary at Leavenworth.

In handling liquor smugglers one of Captain White's oddest cases involved an old, bow-legged Mexican woman who seemed to keep well supplied with smuggled mescal which she would sell on the sly. The problem was that the authorities could not discover where she got it.

One day she had a falling-out with another Mexican woman, who took her hurt feelings to Captain White, along with a few pertinent observations. She asked him if he had noticed all the casings from hog intestines—which she ostensibly used for stuffing sausage—that old Gregoria so often had hanging on her clothes line. Gregoria's ex-friend went on to tell him that the old woman would hide the casings in the bosom of her dress and cross the river to the Mexican side. There she would fill the utilitarian hog intestines with mescal, tying them in sections like link sausages. She would then wrap the links around her waist underneath her dress. After that she waddled nonchalantly back to the American side with a goodly supply of mescal.

Captain J.D. White participated in numerous gun battles and in fights with outlaws and smugglers during his years as a border guard with the Customs Bureau.

The informer promised to let him know the next time old Gregoria went across the river, and in a few days she kept her promise. She informed him that the woman had gone after another cargo of mescal. He went down to the river and waited. In a short time Gregoria came back looking as big around as an old cow.

She was placed under arrest and taken to the immigration station where a woman inspector took her into an adjoining room. In a few minutes the female inspector returned with her arms full of sausage casings filled with mescal. That was how Captain White resolved the Case of the Mysterious Sausage Links.

Captain White had been secretly informed that contraband liquor was being brought into the Rio Grande valley from Galveston at a certain time, so he and another inspector by the name of Brown went to a spot on the highway below Falfurrias in an effort to intercept the illicit liquid intoxicant.

Some time after sun-up they stopped a big truck, and found they had struck pay dirt, for the truck was loaded with 50 cases of fancy whiskey. The three men ferrying the cargo asked permission to cook some breakfast, which was granted. They then set about preparing their meal.

While the breakfast was being cooked the owner of the liquor shipment pulled out a big roll of currency and began thumbing it.

Presently he remarked, seemingly to no one in particular, that it was going to cost him a thousand dollars to get out of that trouble. In fact, he said, he would give a thousand dollars, right then, to get the thing over with.

The inspector pointedly ignored his remarks, and presently he removed one of the bills and handed it to Captain White, asking if he had ever seen a thousand-dollar bill before. The inspector said he hadn't, and passed the bill to Brown for examination. Brown had never seen a bill of that denomination, either, and handed it back to Captain White, who passed it back to its owner.

The two inspectors were invited to join the smugglers for breakfast, but they refused. The man with the fat roll of money was visibly chagrined over his failure to bribe them.

The two were taken to Corpus Christi and charges were filed against them. When their trial came up two were fined $500 each, and the money man was fined $1,000, and sentenced to a year and a day in Leavenworth. He did not miss it by a nickel when he said it would cost him a thousand dollars, but he obviously failed to anticipate the jail term! ●

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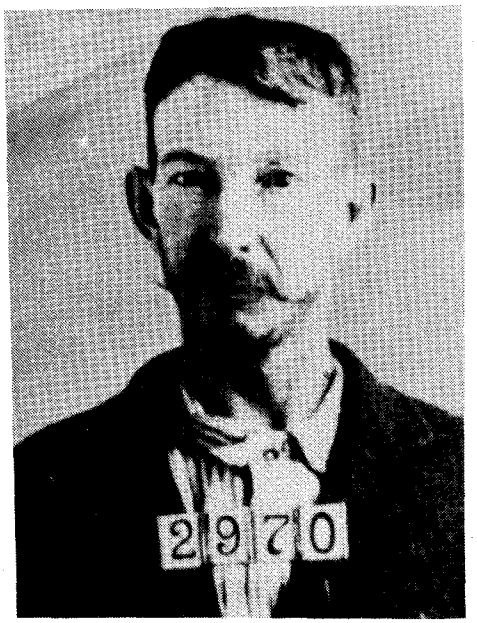
Author's photo

POKER ALICE

(Continued from page 41)



Edward O'Kelley, slayer of Bob Ford, the man who killed Jesse James, was in Creede with Alice. She knew both him and Bob Ford.

flooring and this was to serve as a temporary saloon. His bartender, on a visit to his mother in Kansas City, did not return in time for the opening, so Ford tended bar himself.

The morning of June 8, 1892, was chilly but clear. Ford was alone in the canvas-covered saloon, cleaning up the place. The Smith gang was aware of it and they encouraged Ed O'Kelley to saunter into the street with a sawed-off shotgun under his coat. Seeing old Joe Duval, Ed called him over and asked him to have a drink. Together they walked to Ford's place and O'Kelley shoved Duval through the doorway ahead of him. When Bob turned his head to see who was coming, O'Kelley let him have it with both barrels, shooting him in the throat and almost taking off his head. Poker Alice saw Ford's body as it was carried from the saloon.

O'Kelley was arrested, tried, and sentenced to life imprisonment at the Canon City Penitentiary. Soapy Smith was quite a politician in Colorado and soon the gears were working to get O'Kelley released, as promised. He was released in 1902, and on January 13, 1904, O'Kelley was killed in Oklahoma City by a police officer after Ed had pulled a gun on him.

Poker Alice left Jimtown soon after the fire had gutted the gulch, moving on to Bachelor, Colorado, but soon she moved on again. It was in Fort Fetterman that she found occasion to pull her .38 for the second time.

One night she was bucking the tiger in a rival gambling house and had lost over a thousand dollars. Somehow Poker Alice did not trust the shifty-eyed dealer, finally deciding he was dealing a crooked game. She drew her .38 and demanded the return of her money. It did not take much persuasion to have the crooked dealer count out 11 hundred dollars and return it to her.

Throughout her life Poker Alice knew many famous women as well as famous men. Some of those she counted as friends were Calamity Jane, China Mary, Madame Mustache, and Iowa Bull. By her own admission Poker Alice stated that Deadwood was the toughest mining town she had ever visited. When Deadwood made its sensational strike near what is now the Homestake Mine, Poker Alice was one of the first people there. With her came Calamity Jane and Kitty Arnold. The three of them opened a gambling hall in Deadwood.

She was in Deadwood when Hickok and his self-styled "peace officers" ran the town and she witnessed the depredations his men caused. She also was one of the first of the curious to enter Lewis's Saloon after Jack McCall shot and killed Wild Bill Hickok. She saw the famous "Dead Man's Hand" of cards lying under the table where Bill had been seated.

In Deadwood she married a man named George Huckert of Sturgis, South Dakota, but her third husband soon died and she again took on the name of Tubbs. When the flame of Deadwood died and the gamblers and miners moved on to other fields, Alice stayed behind. She now made South Dakota her home and after several extensive trips to New York City and Chicago, she mixed in county and state politics. Many claimed that no officeholder could be elected without her backing.

Some years later, after Alice had been found guilty on a liquor charge and sentenced to a term in prison, Governor Bulow sent Judge Henry Atwater to personally deliver her pardon papers. Alice seldom drank, but she loved to smoke smelly cigars and did so until her death in 1930 at the age of 77. □

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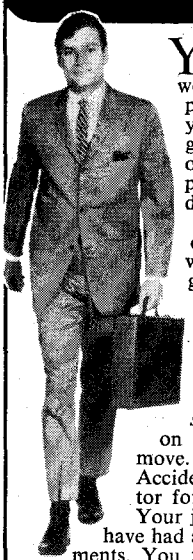

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REVIVAL MEETING CUTUPS

(Continued from page 33)

chest and tried to look as important and intelligent as possible.

Singing was soon over and the preacher started the sermon. As the clock approached eight the soul-saver showed signs of bringing things to a whoa for that night. It was at this time that an elderly gentleman, who had been seated on the far north side of the church, stood up, shook his head and in a voice loud enough for all to hear said, "Amen, Brother, amen."

If you have ever sat by a fireplace and watched the coals cloak themselves in grey ash as they die, or be whipped back to glowing life with a fresh breeze, only then, can you fully visualize the effect the old gentleman's "Amen, Brother, amen," had on the preacher.

He straightened his back, unbuttoned the top button of his vest and began anew. Every few minutes or so one of the older people would contribute a small "amen."

Perspiration began to bead on the preacher's brow, and he seemed so all-fired up I thought I would help him out a little.

I stood up and in a loud clear voice that could be heard for a country mile shouted, "Amen, Preacher, amen." When I did that it was like hollering sic-um to a good dog. The preacher stopped, looked me square in the eye and said, "Thank you, Brother, thank you." He then removed his vest, took off his tie, rolled up both sleeves and really turned on.

Sweat formed so rapidly on his brow that it allowed a small rivulet to run down his nose and drip off the end. His eyes lit up like a country boy seeing his first belly dancer, and the preaching reached a volume that could be heard half way to the county line.

I sneaked a look at the girls to see if they were properly impressed with my actions. Each of them was staring at me as though I was the most important person in the church.

Don Alexander, sitting on the far end of the pew, had noticed the attention I was getting from the girls and decided to get in on the trend. He bellowed out in a tone that could be used to call hogs, "Amen, Amen."

Carl Graham, who was sitting in the middle of the pew, shouted, "Hal-le-lu-jah." I hollered "Amen" again and each of the boys in the pew followed suit with an additional amen or two.

The preacher stepped down from the pulpit, took up a stance immediately in front of us and continued to preach with all his being.

The room got hotter and hotter and I was sure I could feel hell's fire and smell the brimstone, but I got three or four 'amens' ahead of Carl and it looked like a clear-cut victory for me all the way when

The outside of the Hope Church, where "Amens" and "Hallelujahs" were the order of the day.

Dick broke loose and was matching me amen for amen.

By nine o'clock, I swear I could feel the flames a licking at my feet and the preacher was fannin' the flames. By nine-thirty, I was a full two amens up on Dick when he decided to go me one better. He stood up and yelled, "Hal-le-lu-jah, I got religion!"

The effect was electrifying—I never before, or since, have heard such a roar of laughter, and it was plain to see that Dick had played his ace. But the preacher wasn't laughing. He looked at me, fell on his knees, and asked, "How about you, Brother?"

"Hell, no," I burst out. "I ain't even drinkin' out of the same jug he is!"

Now right there I knew I had made a small mistake. The next thing was that my daddy had a firm grip on my left ear and we were headed for the door.

Limbs off of oak trees don't make the best switches in the world and Daddy was sure wanting the best. Without turning loose my ear, he took my lariat and began to use it on me where a body meets a saddle.

At the first lick my horse broke loose and started home, leaving me afoot. I began to think that my ear was going to give out before Daddy did and it was a cinch my bottom wasn't going to make it. The Lord must have smiled on me for the knot in the end of the rope gave way and the rope began to unravel. I had been running in a small circle trying to stay ahead of the rope but it was in vain. Everytime Daddy brought the rope in contact with my behind he would say, "Holler, Amen." I hollered Amen at least a hundred times and it seemed like a thousand.

Finally when Daddy was so winded he couldn't whip any longer he released my ear, gave me my rope and told me to get going for home.

As I hot-footed it those seven miles home, first rubbing my ear and then my behind, I decided Hal-le-lu-jah! I got religion, too. ●

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FIRE DEPARTMENTS

(Continued from page 43)

engines or "man killers", as they were called, were unnecessary. With the larger number of hydrants, more sections of hose distributed at different points throughout town and permanent firemen centrally located, emergencies were taken care of faster and more efficiently

Other volunteer fire companies on the West Coast were organized earlier than the Warren Engine Company No. 1 of Carson City, which was established June 17, 1863, but this company continues to operate in Carson City, and it claims to be the oldest volunteer group in the West today.

Following its organization, the company purchased a Hunneman engine that had been built by Wm. Hunneman of Boston, an apprentice of Paul Revere. First used by the Warren Engine Company of Boston, it was later shipped around the Horn to San Francisco, then sent to Marysville in 1863. When Marysville's volunteers disbanded, the engine was sold to the Carson volunteers, who called themselves the Warrens after the original company in Boston.

The fire laddies put on a demonstration when their pride and joy engine was received. Throwing water for a distance of 209 feet with 100 feet of hose was quite a feat to be proud of.

Bright red shirts and fancy leather belts were bought to dress up the boys after $2000 was raked in from proceeds of a grand ball where Carsonites enjoyed an evening of dancing and a midnight supper furnished by ladies of the town. Throughout the years it has been built up by donations, benefits and gifts.

Members of this company are not limited to the Carson area, and as they are co-owners of the fire engine and all equipment, they can take it where they please. At present they own five good, usable fire engines and considerable up-to-date fire fighting equipment. Members are limited to 25 active men and a member may qualify for the exempt list after twenty years of continuous service.

Unique pictures of charter members of the company hang on the walls of the engine house and a few pieces of antique equipment are on display, also. Their most widely used piece of equipment is a 750-gallon tank pumper recently given to the company by the State of Nevada in recognition of many years of service in protecting state property in and around the capital.

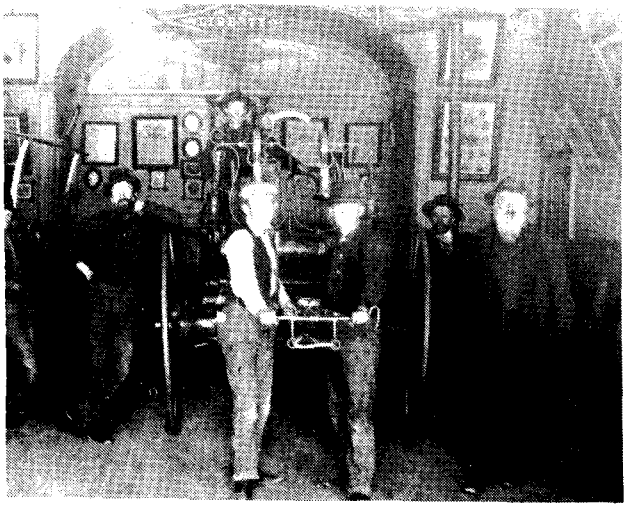
Keen rivalry between fire companies to get "first water on a fire" caused many fights and arguments. Fists would fly in the midst of the rapid heave-ho of a bucket brigade. An alarm bell was loud enough to alert the entire populace who would turn out in force to witness a noisy, major event.

Most bitter rival of the Warren boys in Carson City was Abe Curry's laddies who possessed a hand pump engine and later one of those "new fangled" steam engines.

Fire companies were often the focal point of community life. It was customary for men to drop into the fire house on cold days where they would sidle up to the huge pot-bellied stove and listen to or join in discussions concerning politics, religion and major events of the day. Sometimes such opinions turned into rather rowdy affairs, and respectable ladies had to detour to another street so they would not be offended by the vile language emanating from the building.

Many social events and celebrations would not have been possible without the firemen. For a Fourth of July celebration, fire companies would diligently polish their engines and practice drills every night a month ahead of time. Virginia City volunteers paraded for the Fourth wearing massive silver shields and silver mounted belts made from Comstock silver weighing no less than 43 pounds.

Each new settlement on the frontier, each new mining camp or farming community had a common interest: to protect the lives and possessions of its people from all dangers, including fire. ●



True to the spirit of the competitive frontier, various fire departments were sometimes as concerned with beating rival companies to the fire than with putting out the fire itself.

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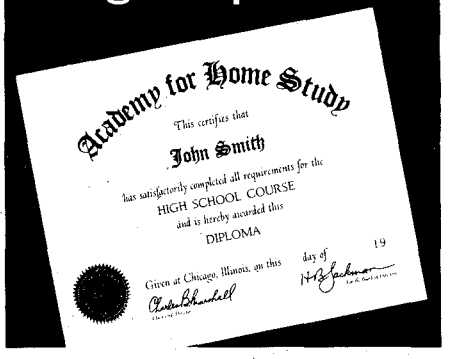

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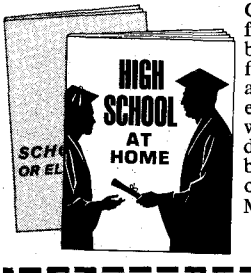

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LITTLE SISTER OF COURAGE

(Continued from page 13)

Besides her teaching duties Sister Blandina visited the jail often, bringing comfort to the prisoners.

In September 1873, Rafael, Chief of the Utes, came to Sister Blandina with the news that his son was dead and asked that the boy be given a Christian burial since he had been baptized. The little nun immediately dispatched three members of the Vigilant Club to bring in the body. Then, with a Sister Eulalia, she prepared a catafalque with a crucifix and candles. At ten-thirty that night the funeral cortege came in view. One of the Vigilantes advised Sister Blandina that the boy was still alive. Chief Rafael came forward carrying his ailing son and declared that the boy was dead because he had given up all hope of living. Sister Blandina saw to it that the dying boy had the last rites of the church before he passed away.

In 1874 the little nun foiled an attempt by crooks to gain possession of a coal mine.

On another occasion one of Sister Blandina's pupils came to her with the news that his father had shot a man and was in the Trinidad jail. A mob was waiting outside for news of the fatally injured man's death. When that happened they intended to storm the jail and hang the murderer. Sister Blandina suggested that she visit the wounded man and ask if he would see his murderer and grant him forgiveness. She received permission from the dying man, and in company with the sheriff and the prisoner, she defied the mob and walked through the streets to the victim's home. There the prisoner was forgiven. Heeding Sister Blandina's pleas, the mob allowed the prisoner to return to the jail to await the coming of the circuit judge.

In 1876 Sister Blandina decided that a new school building with a stage and hall was needed at the convent. When she made this known to Sister Eulalia she was told there was no money for the project. The little nun then said she was going to take a crowbar and climb to the roof and start tearing the place apart. She hoped some kindly Mexican would take pity and help her. Once on the roof, Sister Blandina began throwing down adobes.

The first person who happened by was a Dona Juanita Simpson. When she saw the nun she cried, "For the love of God, Sister, what are you doing?"

Sister Blandina answered calmly, "We need a schoolhouse that will resemble those we have back east, so I am demolishing this in order to rebuild."

Juanita asked how many men were needed for the job and was told that not only men were needed but also straw, moulds, hods, shovels and everything essential to build a structure with a shingle roof.

Dona Simpson assured the nun that she would get what was needed. In less than an hour she was back with six men, straw, moulds and the necessary tools. The men set to work, with Sister Blandina supervising the job. One day when the crew was short a hod carrier Sister Blandina took over the job. In time a new, well lighted schoolhouse was finished and ready at no cost to the church.

On another occasion one of the nun's pupils came to her with the news that a member of the notorious Billy the Kid's gang had been shot and was in an abandoned shack in serious condition. The nun hastily collected food, soap and bandages and, accompanied by two of her helpers, hastened to the wounded outlaw. The nun ministered to him for many weeks. He confessed his sins to her. When she learned that his mother was in California Sister Blandina sent for her. One day he informed the little nun that Billy the Kid and his gang would be in Trinidad on a certain date and that they intended to scalp and kill the four doctors in the town.

On the appointed day Sister Blandina was on hand to face the Kid. Billy expressed pleasure at meeting her and assured her he would grant any favor she asked. She wanted him to spare the doctors. The outlaw readily agreed, so the four men were not molested.

The wounded desperado's mother arrived from California and had him moved to a private home. He was fast approaching death and Sister Blandina prayed at his side. He repeated the words after her and bade her goodbye.

In 1876 Sister Blandina was missioned to Santa Fe, New Mexico Territory. In the picturesque old city she taught school, nursed in the hospital and helped in the orphanage. She accompanied an American family by the name of Staab to the terminus of the railroad five miles west of Trinidad. There Mrs. Staab and her children set out for Chicago. On the return journey to Santa Fe Sister Blandina traveled in a coach with a Dr. Syminton and Mr. Staab.

At the time Billy the Kid was raiding the vicinity, but the nun had no fear. A short distance out of Trinidad the driver gave warning that a horseman was approaching. The men drew their weapons, but the nun asked them to put the weapons away. The rider galloped up to the coach and when he saw Sister Blandina he raised his sombrero, smiled and rode away without a word. Sister Blandina recognized Billy the Kid as the horseman.

In 1879 the church built an industrial school for girls in Santa Fe. Sister Blandina acted as timekeeper there. She also helped establish a brickyard for use in building the school.

In that same year Lew Wallace became governor of New Mexico Territory and made a vow to put an end to the depredations of Billy the Kid. Three years later, in 1882, the Kid was captured and jailed. Sister Blandina visited him and found him chained to the floor with cuffs on his hands and feet. The Kid told her he wished he could offer her a chair. That was the last time she ever saw him. She was sorry he had thrown away his life by living outside the law.

In 1882 Sister Blandina was transferred to Albuquerque. Soon after her arrival she learned that Billy had been killed by Pat Garrett.

Albuquerque was an ancient town, but across the new railroad tracks a new town was building and it, too, was named Albuquerque. There was a church 200 years old, a convent and a school in the old town.

Sister Blandina began teaching in the school in the old city. Soon after her arrival the chief of the Apaches asked her to come and teach the squaws and papooses of his tribe. She had to refuse because her life was dedicated to her church.

Hearing that the Hopi Indians were being defrauded of provisions which the government allotted them, Sister Blandina, in company with a Sister Catherine, set forth in a wagon to the Hopi Reservation to investigate. Along the way were work camps for the construction gangs who were laying the rails for the Atlantic and Pacific Railroad. The sisters assured the Indians that their troubles would be straightened out by the white fathers in Washington.

On their return journey the women came to a large commissary tent. Sister Blandina recognized a friend, Louis Grant of the Grant Brothers Bridge Contractors, as the man who came out to meet them. He warned the nuns to go no farther because the Apaches were on the warpath. He invited the sisters to take refuge in his tent in which there were 22 armed men.

Mr. Grant explained that there was a grading camp up ahead and on that same day a number of Apaches had visited the camp to gather food thrown away by the workers. One of the graders had shot an Apache through the heart for no reason other than "to see how a redskin kicks the bucket." The Indians had taken their dead comrade away but returned shortly demanding that the guilty man be turned over to them. They had been informed that he had gone to the bridge builder's camp. They rode to Louis Grant's camp but the man was not there. The Indians then threatened to return and attack the camp. Already Indian scouts were on the knoll opposite the commissary tent.

Although badly frightened, Sister Blandina was determined to meet the Indians and talk with them. She reasoned that if she could convince the scouts that she

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Sister Blandina once walked through a howling mob to see a murderer scheduled to hang.

had been requested by their chief to teach their papooses they might not attack Grant's camp. Holding her crucifix in her hand, she walked out to meet the fierce looking scouts and bade them good evening in Spanish. When the Indians inquired what she was doing out there she replied that she had been on a journey and had stopped at Grant's camp. She then assured them that the man who had killed one of their band was not in the tent.

After a lengthy conversation the Apaches agreed not to molest the camp. Sister Blandina then advised Louis Grant to send a message to the grading camp recommending turning the guilty man over to the Indians. She argued that only in that way could an Indian uprising be averted. But for the little nun's courage the camp would have been attacked and its occupants endangered or massacred.

Sister Blandina, knowing that schools would be needed in the rapidly growing town of New Albuquerque, persuaded church authorities to purchase building lots in a good neighborhood. There a girls' school was established with the little nun supervising construction. The school, consisting of only one wing, was not nearly large enough to house all the pupils who wanted to attend, but there was not enough money to build an addition. Sister Blandina decided to erect an adobe building near the school. With the help of a Navajo by the name of Jose Apodaca she made adobe bricks and even helped lay them. The building is still standing today.

In 1886, while Sister Blandina was still in Albuquerque, the famed Apache, Chief Geronimo surrendered to General Nelson A. Miles. The chief's horse was put on exhibition on Railroad Avenue in the city and Sister Blandina went to see it. She was glad to learn that everyone agreed the Apaches had made their last stand.

In 1889 the little nun was moved back to Trinidad. She found that the town was no longer a frontier. Billy the Kid wasn't terrorizing the country and Dick Wooten's toll gate was gone. Trinidad was fast assuming the aspect of civilization. Sister Blandina taught in Trinidad for three years. In 1892 the school board decreed that nuns could not teach in the public schools unless they discarded the black habits of their order. The little nun was then missioned to Pueblo, Colorado as principal in St. Patrick's School.

Two years later Sister Blandina left the West and returned to Cincinnati. There, in 1897 with Sister Justina who was her own blood sister, she began a social center for Italian immigrants in the slums of the city. She was the head of this project until 1933 when she retired to the Mother House in Mount St. Joseph, Ohio. The center was known as the Santa Maria Institute. Now it is a neighborhood house and both the Catholic Charities and the Community Chest are concerned with it.

Sister Blandina died in 1941 at the age of 91. Not only was the gentle little nun the most famous of all the sisters who helped bring civilization to the West but she was the personification of all the great spirits who worked selflessly for the common good. Crucifix in hand and a deep abiding faith in her heart, Sister Blandina blazed new trails and helped to write a vivid chapter of courage on the great frontier. ●

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JOHN CHISUM—EMPIRE BUILDER

(Continued from page 11)

Billy the Kid was known to have been a guest at the John Chisum spread whenever Billy passed through the territory. However, Billy never was employed as a hand on Chisum's ranch as some accounts report.

had Chisum arrested and put in jail in connection with an alleged debt, based on the grounds that Chisum was about to depart from New Mexico. John Chisum was finally released from jail on bail, and the Judge handed down an opinion sustaining the contentions of Chisum's new attorney, that there was "no such remedy in New Mexico as a writ of 'Ne exeat' as asked for." The writ was said to have been used in early days in England to prevent a person from "departing from the Kingdom."

John Chisum, harangued and persecuted, went to jail, but iron bars didn't hold this man of Scotch ancestry for long. He was soon out of jail—but not out of trouble.

As the Indians say, rumors fly on the wind. Chisum's enemies spread the word that he was a selfish, mean man, and a monopolizer of the livestock industry in the territory. He was also accused of harboring notorious outlaws and suspicious persons on his ranch. Perhaps this came about because of the following incident:

Captain Clancey, a notorious retired sea captain, had earlier become a sheep-raising neighbor of John Chisum. Looking for new grassland, Clancey had driven 3,000 head of sheep overland from California to the Pecos River in Lincoln County. It was rumored he had brought $50,000 in gold in a wagon drawn by a team of mules. The gold was cached in innocent looking metal containers and was placed for safe keeping in a large iron safe in the store of Alexander Grzelachowski, who was a friend of the outlaw, Billy the Kid. Grzelachowski had ordered the clerk in his store to give Billy anything he wanted and ask no questions. Billy the Kid always needed bullets for his guns and was noted for the 21 notches on his favorite rifle—each notch representing a man he had killed. Could it be that the Kid had his eye on the large iron safe in the store? At least the young outlaw was seen on the Chisum range.

"In passing through the Territory, Billy the Kid had also spent some time on the Chisum Ranch," old timers say, "for John Chisum turned no man away from his table!" But Billy the Kid was never employed as a hired hand on the ranch as had been reported.

Perhaps other rumors of Chisum's character and reputation came about because of the various dramatic incidents that took place on his famous Chisum Ranch of over 100 employees.

Cowboy Johnnie Evers was accidentally shot in the leg. Ramon Garcia, a cowhand from another ranch, shot and killed one of Chisum's most reliable men. The foreman of the Chisum ranch then had Garcia arrested and started to take him to Fort Stanton to jail. On the way, Garcia was killed by one of the guards while he was trying to escape. Many men were report-

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Author's photo

Contrary to what some people believed, John Chisum never opposed the small ranchers and farmers heading west, like this group, pictured above. He was truly concerned about "good" citizens being driven out of the county by bands of marauding outlaws who roamed there at will.

ed to have died violent deaths on or near the range during that era. But in spite of his so-called eccentricity and gruff manner, and although he remained a bachelor all of his life, he became known all over the territory as "Uncle John."

The most widely known and most extensively publicized cattleman in the Territory of New Mexico, Uncle John Chisum continued serious in his ambitions to build up his herds, build up the country and get along well with all people.

"John Chisum was unquestionably the largest individual cattle owner in the United States and probably the greatest cattleman in the world," a history of New Mexico reads.

The Las Vegas Gazette of June 19, 1884 stated:

"John Chisum needs no introduction, as he is known far and near. His brand for both horses and cattle is 'U' on the left shoulder. U will know John's brand wherever U see it and if U should happen to visit the lower country U will see it on about 20 to 30 thousand head."

Added to the U on the shoulder was a long slash or rail from the shoulder to the flank, making his brand as follows: U ———.

He was often called "Jingle Bob" John Chisum because of the jagged, flapping ear-mark of his cattle. "The ears of the cattle are so ragged you can hear them jingle as they walk," a cowboy once remarked.

It was in the 1880s that John Chisum began to make his "Jingle Bob Ranch, and the Long House," the showplace of that area, which in itself caused envy and drew fire from his enemies. If you should visit the site of the old John S. Chisum Ranch headquarters today you would find where the Long House was located, at the head of the pleasant, tree-splattered South Spring River, about six miles southeast of Roswell. There is a historical marker on the highway in front of the present day home which is owned and operated by Burt Aston.

The old adobe-frame Long House, now gone, was described as 148 feet long and 39 feet wide. Through the center of the building ran a hallway which connected with a veranda at the back. Under this ran a clear stream of water. It was one of Uncle John's pleasures to stand on the veranda and feed the fish in this stream.

When the house was ready to furnish Uncle John ordered some of the best furniture to be brought in by freight wagon from the nearest shipping point, Las Vegas, New Mexico. Along with furniture came rugs, mattresses, bedspreads, drapes, and everything needed for the new "Jingle Bob" ranch house. Although the house was handsomely furnished, Uncle John's bed was made up of three blankets spread on the floor. Like the Indians, he had slept in a blanket on the hard ground or floor so long that he could not sleep well in a soft bed.

Uncle John's niece, Sally Chisum Roberts, daughter of his brother James, was his housekeeper for many years. "She was called the Queen of the Chisum Ranch," an old timer said.

(Continued on page 60)

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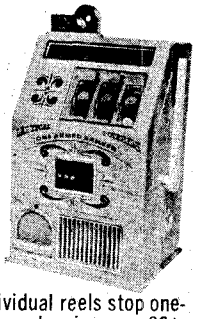

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JOHN CHISUM—EMPIRE BUILDER

(Continued from page 59)

John Chisum planted orchards of apples, plums, and peaches, and developed a rose garden that drew attention from all over the Southwest. Most of these shrubs were brought by freight wagons. Some of the old cottonwood trees still standing were brought from the Rio Grande Valley by pack mule train. The three Chisum brothers, James, Pittzer, and John, planted three cottonwood trees with limbs so entwined that the branches continued to grow together symbolizing the closeness of the brothers. These trees are still standing.

It was reported that Chisum opposed the small rancher and the farmer, but the old cattleman actually held that if the country was good for farming it would be foolish for the rancher to oppose farmers and their "inevitable drift to that economy." He had a great interest in agriculture, especially in feed for livestock. On August 6, 1880, he wrote a letter to the editor of the Las Vegas Gazette:

"You will find, in a box sent you, two heads of millet I raised on my ranch. I have been trying the different kinds of grasses and millet, to find which suits our climate and soil best. From all I have been able to learn, this I send you is the best. It grows from four to six feet high, producing a large quantity of fodder and making more feed to the acre than any other feed. If you know of any better millet, let me know what it is, so I can get the seed.

"We have rain and grass in abundance; also plenty of newcomers from Kerr County, Texas. They are well-pleased and are getting themselves homes as fast as possible.

I remain as ever yours,
John Chisum"

At last the gentle and law abiding people driven out by lawless gangs were returning to Lincoln County to make permanent homes.

"Roswell In Its Early Years," by Maurice G. Fulton, reads that a group of Mormons settled on the Chisum range in the area of the Bottomless Lakes. John Chisum encouraged good people to settle there and regarded Mormons "as such to be desired." He welcomed and offered them land, water, and provisions from his own store.

Pioneers of the Pecos Valley area remember Uncle John as a good neighbor, a reasonable man, a cowboy who not only made cattle raising, but the art of being kind, a way of life.

After some 40 years in the saddle, and in the cattle industry where he began at the bottom and achieved top place, John Chisum died from cancer on December 20, 1884. After a surgical operation in Kansas City, he then went to Eureka Springs, Arkansas. Uncle John, for the last time, took off his boots and lay down to rest on the softest bed he had ever known. The *"Golden Era"* of Lincoln County carried this comment on January 1, 1885:

"Our readers will be pained to learn of the death at Eureka Springs, Arkansas, of John S. Chisum, which occurred at that place about two weeks ago. Mr. Chisum was one of the pioneers and frontiersmen of Lincoln County, having come here at a very early day, and had been identified with its history ever since. Eccentric in many ways, gruff in manner, yet he was always a warm friend, and no man ever looked closer after the pleasure and comfort of the men under his employ during his long experience as a cattleman."

The American Historical Society says of John Chisum:

"His life, if written in detail, would present a clear, correct, and forceful picture of pioneer times with various characters of frontier life, with all its dangers, its privations, its horrors, its pleasures, and its proprietary."

He was the kind of man who built the West! □

Author's photo

"No man ever looked closer after the pleasure and comfort of the men under his employ during his long experience as a cattleman."

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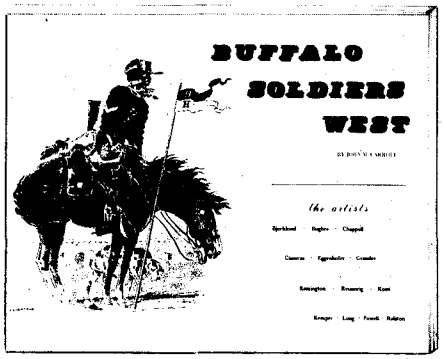

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"I MET BUTCH CASSIDY"

(Continued from page 37)

This rare photo of Butch Cassidy was taken when he was 17 years old—and already a cattle thief.

placed to rest beside Chief Kanosh. There was no discrimination of race or color there in death.

But it was not all work and hardships in Kanosh. People had their church and their social life. They loved to dance and from the children to the grandparents went to dances together. These dances served not only recreation but often they were used to help others. The houses were heated with wood and the wood had to be hauled and split. Able bodied men could do this, of course, but each fall a wood dance was held. This wood was hauled for the widows and the ill. Men were given a dance ticket for each cord of wood hauled. The boys were given a ticket for each cord split into stove lengths. The women cooked the supper and all had a merry time. At other dances baskets of lunch were raffled off for charity.

My father Lemuel Dorrity and my mother Maria Hunter were born in Kanosh. Their parents had the first two stores there.

When I was small my parents moved to the ranch in Three Creek each summer. It was wild country at that time and Mountain Lions were plentiful. One day Grandmother Dorrity was driving from Kanosh to the ranch in a buckboard. She had my sister Hazel with her. When the horses snorted and started to run she looked up the mountain to see two big lions leaping down toward the road. She gave the horses their heads and used the whip, but fast as they went the lions were gaining. And then a quilt fell out of the buckboard. When she looked back the lions had stopped and were tearing the quilt to shreds.

At another time we watched through a spyglass as a lion was chasing a bunch of horses almost a mile away. The glass brought the scene close and we watched the lion leap on a horse and ride him until the horse fell and then go about tearing the animal to pieces.

I was about four years of age when Father brought a lion cub home. He had found it when rounding up the cattle. It was like a small pup then, but would have nothing to do with anyone but my mother. It was her that fed it and petted it and held it on her lap. As he become older he would lay beside mother's chair and snarl at anyone that came near.

Father wanted to dispose of him. He was afraid if the lion ever bit one of us and tasted blood he would be just a mad beast again.

I remember they quarreled hotly about it and then when the lion was half grown, as large as a good-sized dog, Mother became ill. When the doctor came to the ranch the lion jumped on her bed and snarled at any of us that came near. Father had to throw a rope on its neck and drag it outside snarling and snapping at him. He tied it to a wagon wheel in the yard. The next morning it had twisted the rope tight and choked to death.

Mother had always said she was sure that Father had made sure it did choke but could never prove it.

It was nice on the ranch and I loved it. I loved the spring house where the milk

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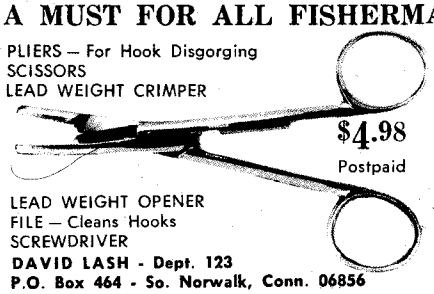

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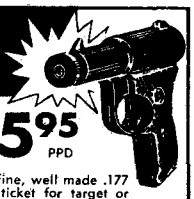

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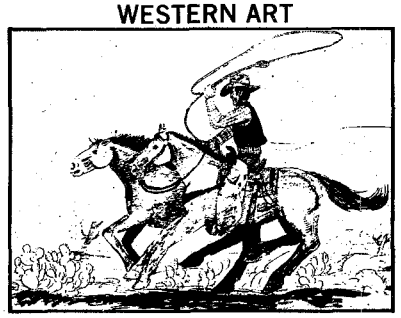

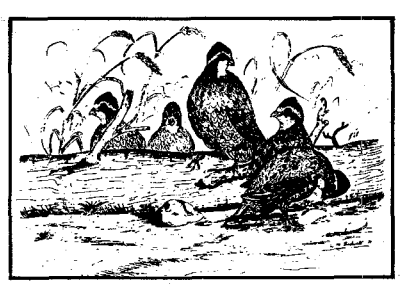

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"I MET BUTCH CASSIDY"

(Continued from page 61)

was kept on rows of shelves until the cream rose, a golden lid to be skimmed off and let sour and then put into the barrel-like churn and I was often allowed to stomp the wood dasher up and down in the churn until there were great chunks of golden butter floating in the buttermilk. It was lovely with hot yeast bread fresh from the oven, for the women made their own bread then.

Aunt Martha kept the start of yeast for all of us so when we wanted bread we would take her a cup of sugar or some fresh vegetables to pay for the start and then put it into potato water to rise.

I was six years of age when the gold strike came in Kimberly. Uncle Sam and Uncle Marion Dorrity and Father left the ranch for the mines. They built a store, a rooming house, a livery stable and a hotel. Mother ran the hotel and Father managed the livery stable and the stagecoach that hauled the mail and the gold to the railroad at the Cove.

He also hauled passengers and it is that way that I met Butch Cassidy.

Cassidy and his men had been robbing stages and trains right and left and then fleeing back into the badlands. These badlands are a national monument now but then they lay like a map below Lookout Point in Bryce's canyon. They are still wild unassailable places. Men like Cassidy and his gang hid out there.

The mines and mill in Kimberly were doing good and Father often had a bullion shipment in an iron box about one foot wide by two feet long, with a big padlock on it. Mother worried more about it than Father did. But even he never knew until the box was loaded when it was to go.

It was one day in early fall about noon when Uncle Sam came over to the hotel and told mother to keep us kids indoors.

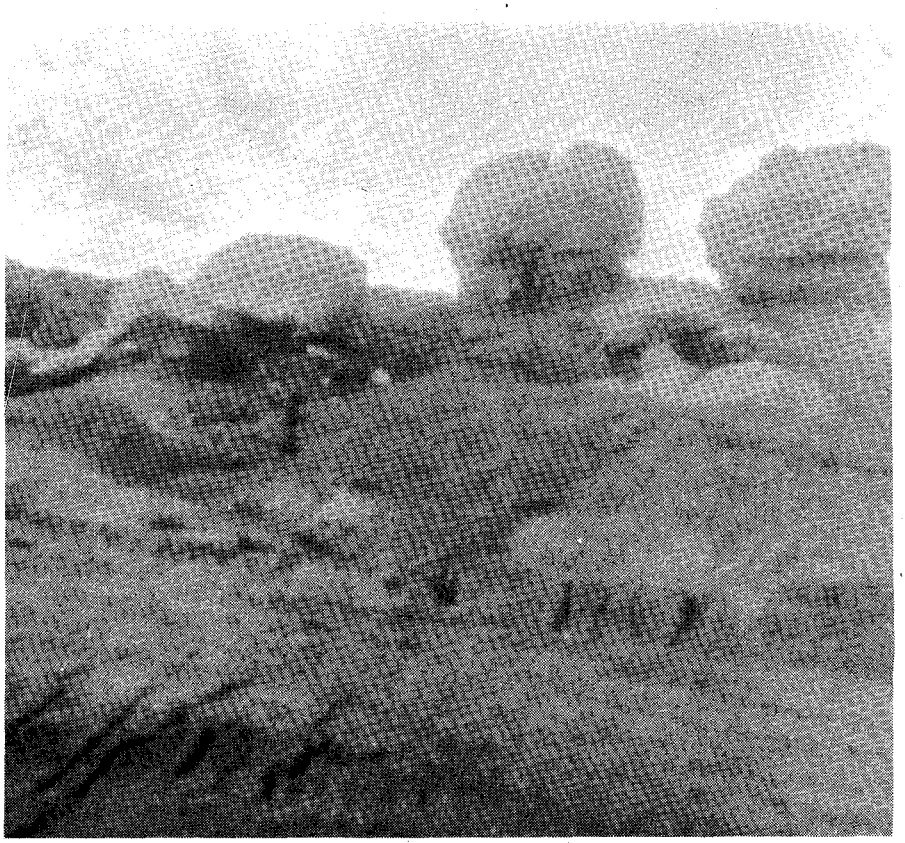
"Cassidy's men just rode in, and there is bound to be trouble."

Mother was scared to death as was the rest of the help. Kimberly is just a one-street town and the saloon was almost directly across the street from our hotel. My brother Bill and I thought it most exciting and wanted to stay in the street. Only a week before we had gone to the creek that ran about a hundred feet below the back of the saloon to find a man, or rather boy about eighteen, face downward in the creek dead, a bullet in his back. It had been awful exciting to talk about and now here was the noted Cassidy. But we were marched in the house and told to keep away from the window fronting on the street.

Of course we didn't.

Mother was frantic before Father came in with the stage. She had found out that Cassidy was not with his men. She was sure he had held Father up and killed him. As the boarders came in for dinner or supper, the long table where they ate buzzed with stories of Butch Cassidy.

And then we saw the stage come in and stop at the livery and Father and another man came over to the house. I can see the man today. Quite plump but not bad looking with his brownish colored store



Three heads guard the opening into Robbers' Roost.

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clothes, and the leather satchel in his hands.

Father in his Irish way just said: "Folks meet the mail inspector." Mail inspector, big joke. But knowing Father we should have been prepared. Soon the talk went back to Butch Cassidy and each had to tell something that they knew of his exploits.

Mother told the "inspector," "If there are any gold shipments, you had better see that they are safe while he is here."

"I'll do that," the "inspector" said.

After supper he went across the street to the saloon and then he came out with the Cassidy gang. They had brought a horse for him and now when he mounted it Mother was frantic and called to Father.

"They are taking the mail inspector. Stop them!"

Fathers laughed fit to kill. Then he said, "The mail inspector you had here for supper is no other than Butch Cassidy."

"But you said he was a mail inspector," she cried.

"That he is," he said, "just ask Uncle Sam."

Mother was mad then.

"Then why did you bring him here?" she wanted to know.

"He got off the train in the cove. His men were waiting here," he said.

Father told her then that people said that when Butch Cassidy broke bread with a man he would never rob him.

"Just a bit of security," Father said.

In about two months he had a chance to prove that to be true.

Someone forgot to lock the bullion box, and the bumping of the coach caused the lid to fly open and one of the little gold ingots (small bricks) which the mill sent out had dropped out. Father did not know it until a horseman rode up and stopped the stage. Dad thought it was a sure enough holdup when he recognized one of Cassidy's men. But he handed Father the brick.

"This is yours, I think," he said and then added, "I found it up the road." Father thanked him, and as the rider turned away he called, "That's compliments from Butch Cassidy."

Father would have been in real trouble if he had lost that ingot.

I go back to Utah at times and each time the places seem smaller and closer together. But I still dream of those old days. There was no radio, no television, no picture show, no record players or cars or airplanes or the million other things that compose life today. But there was something else, something that is lacking in this modern age. The comraderie, the friendships, the closeness of the communities, the dependency of man for man. The people my age remember that and in a way yearn for it, but when my generation is gone it will be forgotten, buried in history; just statistics. ●

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THE MAIL POUCH

(Continued from page 6)

were. Fredrick Boone died on the second day after arriving in Texas from Mississippi. Our records show he moved from Tennessee to near Corinth, Mississippi, in Alcorn County. My grandfather, Francis Ebenezer Boone was born June 25, 1852 in Mississippi. Also, does anyone know the names of the sons of Squire Boone, brother of Daniel Boone. These are all the names I need to complete my family tree. Thanks to anyone who can give me any help.

Sincerely,
Clara Morgan
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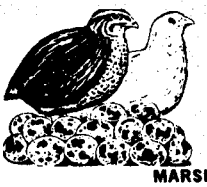
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ROUND-UP TIME

QUESTIONS AND ANSWERS

Q. Just how good were the old-time pistoleers? Is there any proof of their superior marksmanship? T.R.E., Broseley, Mo.

A. Let's take a news item from *The Colorado Transcript,* December 4, 1889, as republished recently in the *Colorado Prospector.* It tells of one man's abilities with a weapon: "Will Ogden, of Fairfield, Nebraska, performed a remarkable trick last week. He laid a cocked gun on the ground, stood off about fifteen feet from it, threw a common glass ball into the air, turned a handspring, picked up and discharged the gun, breaking the ball before it reached the ground." Is that fast enough for you?

Q. When was the first electric fence used to contain livestock in a pasture? V.B., Scottsbluff, Nebr.

A. The earliest recorded item we have seen was the reprint from a story that appeared in the *Colorado Clipper,* Colorado City, Texas, June, 1889. The news story told of a test made by the U.S. Electric Fence Company which had contracted with the LX ranch management to erect such a fence. "The electric fence is a stunner," the story told. "It is the eighth and greatest wonder of the world. Not one of those cattle were hurt, but not one of them will ever go near that fence again!"

Q. Where will the finals of the National Rodeo be held this year, and when? R.S., Walla Walla, Wash.

A. At Oklahoma City, Oklahoma, December 4 to 12, 1971, at the Fairgrounds Arena. There will be ten performances. Seats sell from $2 to $5. A box seat for all performances—$60. There will be more than $100,000 in purses. Should be a wonderful show!

Q. What accounts for the mammoth (elephant) bodies which were found in Siberia frozen and perfectly preserved, some with flesh on their bones and food in their stomachs? G.H.L., Anchorage, Alaska.

A. We understand such discoveries were made along the Arctic coast and in the Porcupine River area of the Yukon. One authority says the animals were probably trapped in the boggy areas and pickled in the muskeg, which slowly converted to perma-frost. There is hope that these remains may one day provide a source of ivory from their tusks.

Q. What is the cause of the greatest wild animal slaughter today? W.W.O., Tucson, Ariz.

A. The automobile, by far. Cars kill many, many times more wild game—deer, rabbits, squirrels, foxes, bear, raccoons, etc.—than are killed by all the hunters. One day's losses in Florida alone included 5,000 quail, 250 turkeys and 2,000 small animals, songbirds and reptiles. The public highways are a virtual slaughterhouse for animals and fowl as well as Man.

Q. Is the Colt company still making guns? W.D., Los Angeles, Cal.

A. Yes, Colt Industries, Inc., is very much in the gun business. For example: just a few months ago the government of South Korea made an agreement with Colt to manufacture the M16 rifle in Korea. According to the *Wall Street Journal,* the huge plant being constructed there (with a 15 million dollar U.S. defense loan) should turn out enough of the rifles to arm 600,000 South Korean troops within a few years.

Q. How did the American Indian pray? What did he ask for? Can you print an Indian prayer? G.J., Bethany Beach, Del.

A. Perhaps this "Indian Prayer," as provided by the Red Cloud Indian School, (Pine Ridge, S.D. 57770), will answer your question. Send $1 to the school and they will mail you their Quarterly publication and this prayer on a card suitable for framing:

AN INDIAN PRAYER

O Great Spirit whose voice I hear in the Winds and whose breath gives life to all the world.
Hear me! I am small and weak, I need your strength and wisdom.
Let me walk in beauty and make my eyes ever behold the red and purple sunset.
Make my hands respect the things you have made and make my ears sharp to hear your voice.
Make me wise, so that I may understand the things you have taught my people.
Let me learn the lessons you have hidden in every leaf and rock.
I seek strength not to be greater than my brother, but to fight my greatest enemy, myself.
Make me always ready to come to you with clean hands and straight eyes, so when life fades, as the fading sunset, my spirit may come to you without shame.

Q. What was the origin of Jack Slade, hung by the Vigilantes in Montana? T.L.C., Butte, Mont.

A. Joseph Alfred (Jack) Slade was born in Carlyle, Illinois, in 1829, the son of U.S. Congressman Charles Slade. At age 18 he was a private in Co. A, 1st Reg., Illinois Infantry (Mexican War).

Q. Is it true that excessive cutting of timber, particularly that of "clear cutting," which is cutting everything off the land that is marketable, is having a bad effect on our national forest areas in western states such as Colarado? S.J., Barre, Vt.

A. Yes. At a time when the federal government has called for a 60 percent hike in timber harvesting, the Forest Service, because of lack of funds, is several millions of acres short in re-seeding previously cut areas. In 1970, 209 million board feet of timber, valued at $2,370,000 was sold in Colorado by the Forest Service. Unless corrected, such practices are highly detrimental to a balanced forest ecology. Clear cutting of parcels of 30 to 80 acres of land have, in the past, been helpful in controling insects and tree diseases. This also provides new feed for deer and elk. But clear cutting can also be done to excess. Much timber was lost in 1971 by the bad forest fires in the West, caused chiefly by drought.

Q. Inspired by our trip to Alaska last summer we would like to buy an Indian-made wooden Totem Pole. What do they cost? U.T., Ilion, N.Y.

A. When you hear the price Alaska dealers ask, you'll probably change your mind. An 8-foot pole, $1,000; a 6-foot pole $600; a 5'6" pole, $500. Small cast poles, 24-inches tall, $35. We mentioned one time in these columns that they were getting rare; well, these prices indicate how rare.

Q. What killed the many bald eagles reported to have been found dead in Wyoming a few months ago? Y.L.O., Shreveport, La.

A. Many eagles died on electric lines and some died of thallium. That's a deadly poison some ranchers and officials use to poison sheep carcasses, when found dead. They reason: "A coyote killed the sheep. I'll kill the coyotes." But the thallium kills anything that eats it. Whether friend Coyote is guilty or not, he is blamed for most every killing—sheep, calves, poultry. But he didn't kill those bald eagles. Men killed them.

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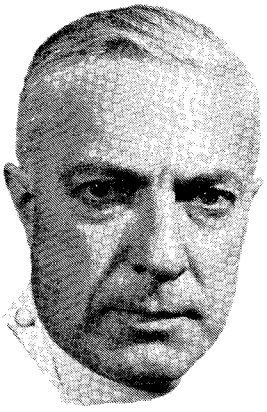

An Important Message

To Every Man And Woman

In America

Losing His Or Her Hair

If you are troubled by thinning hair, dandruff, itchy scalp, if you fear approaching baldness, read the rest of this statement carefully. It may mean the difference to you between saving your hair and losing the rest of it to eventual baldness.

Baldness is simply a matter of subtraction. When the number of new hairs fail to equal the number of falling hair, you end up minus your head of hair (bald). Why not avoid baldness by preventing unnecessary loss of hair? Why not turn the tide of battle on your head by eliminating needless causes of hair loss and give Nature a chance to grow more hair for you? Many of the country's dermatologists and other foremost hair and scalp specialists believe that seborrhea, a common scalp disorder, causes hair loss. What is seborrhea? It is a bacterial infection of the scalp that can eventually cause permanent damage to the hair follicles. Its visible evidence is "thinning" hair. Its end result is baldness. Its symptoms are dry, itchy scalp, dandruff, oily hair, head scales, and progressive hair loss.

So, if you are beginning to notice that your forehead is getting larger, beginning to notice that there is too much hair on your comb, beginning to be worried about the dryness of your hair, the itchyness of your scalp, the ugly dandruff — **these are Nature's Red Flags** warning you of impending baldness. Even if you have been losing your hair for some time, don't let seborrhea rob you of the rest of your hair.

HOW COMATE WORKS ON YOUR SCALP

The development of an amazing new hair and scalp medicine called Comate is specifically designed to control seborrhea and stop the hair loss it causes. It offers the opportunity to thousands of men and women losing their hair to bacterial infection to reverse the battle they are now losing on their scalps. By stopping this impediment to normal hair growth, new hairs can grow as Nature intended.

This is how Comate works: (1) It combines in a single scalp treatment the essential corrective factors for normal hair growth. By its rubifacient action it stimulates blood circulation to the scalp, thereby supplying more nutrition to still-alive hair follicles. (2) As a highly effective antiseptic, Comate kills on contact the seborrhea-causing scalp bacteria believed to be a cause of baldness. (3) By its keratolitic action it dissolves ugly dandruff. By tending to normalize the lubrication of the hair shaft it corrects excessively dry and oily hair. It eliminates head scales and scalp itch.

In short, Comate offers you in a single treatment the best that modern medicine has developed for the preservation of your hair. There is no excuse today except ignorance for any man or woman to neglect seborrhea and pay the penalty of hair loss.

COMATE IS UNCONDITIONALLY GUARANTEED

To you we offer this UNCONDITIONAL GUARANTEE. Treat your scalp to Comate in your own home, following the simple directions. See for yourself in your own mirror how after a few treatments, Comate makes your hair look thicker and alive. How Comate ends your dandruff, stops your scalp itch. How Comate gives your hair a chance to grow. Most men and women report results after the first treatment, some take longer. But we say this to you. If, for any reason, you are not completely satisfied with the improvement in your own case — AT ANY TIME — return the unused portion for a prompt refund. No questions asked.

But don't delay. For the sake of your hair, order Comate today. Nothing — not even Comate — can grow hair from dead follicles. Fill out the coupon now, and take the first step toward a good head of hair again.

Male pattern baldness is the cause of the great majority of cases of baldness and excessive hair loss. In such cases neither the Comate treatment nor any other treatment is effective.

Note To Doctors
Doctors, clinics and hospitals interested in scalp disorders can obtain professional samples and literature on written request.

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"I used to comb out a handful of hair at a time. Now I only get 4-6 on my comb. The terrible itching has stopped."
—L.H.M., Los Angeles, Cal.

"My hair has improved. It used to fall out by handfuls. Comate stopped it from falling out." —D. M. H., Oklahoma City, Okla.

"My hair has quit falling out and getting thin."
—D. W. G., c/o FPO., N. Y.

"My husband has tried many treatments and spent a great deal of money on his scalp. Nothing helped until he started using your formula."
—Mrs. R. Leb, Piqua, Ohio

"Comate is successful in every way you mention. Used it only a few days and can see the big change in my scalp and hair."
—C. E. H., N. Richland, Wash.

"My hair was thin at the temples, and all over. Now it looks so much thicker, I can tell it."
—Miss C.T., San Angelo, Tex.

"Now my hair looks quite thick."
—F. J. K., Chicago, Ill.

"My hair had been coming out and breaking off for about 21 years and Comate has improved it so much."
—Mrs. J. E., Lisbon, Ga.

"I've used a good many different 'tonics.' But until I tried Comate, I had no results. Now I'm rid of dandruff, and itchy scalp. My hair looks thicker."
—G. E., Alberta, Canada

"Used it twice and my hair has already stopped falling."
—R. H., Corona, Cal.

"No trouble with dandruff since I started using it."
—L. W. W., Galveston, Tex.

"It really has improved my hair in one week, and I know what the result will be in three more. I am so happy over it, I had to write!"
—Mrs. H. J., McComb, Miss.

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Please send at once the complete COMATE hair and scalp treatment (60 days' supply) in plain wrapper. I must be completely satisfied with the results, or you GUARANTEE prompt and full refund on return of unused portion.

☐ Enclosed find $10 (check, cash, money order). Send postpaid.

☐ Send C.O.D. **Enclosed is $1 deposit.** I will pay postman $9 plus about $1.50 in postal charges on delivery. Save the $1.50 by enclosing $10.
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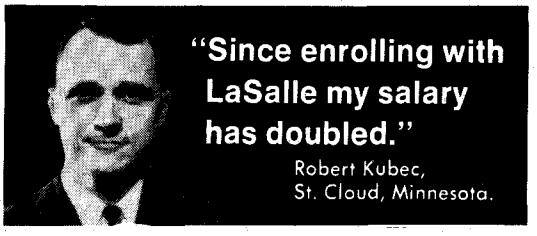

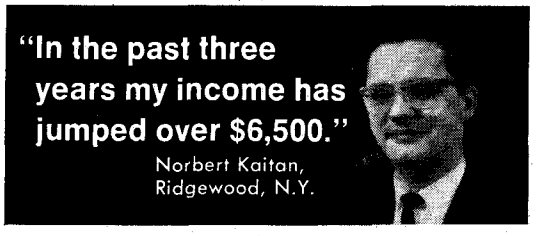

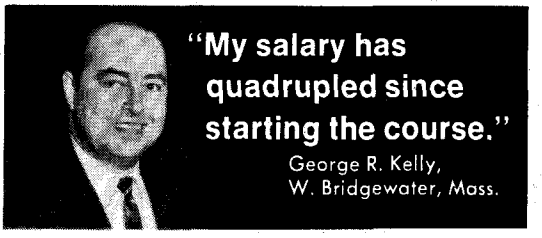

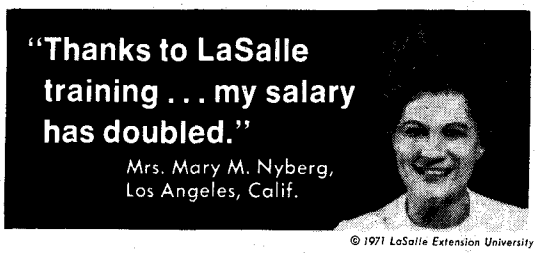

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